



**MOORE COUNTY PLANNING BOARD  
MONDAY, JUNE 4, 2020 6:00 PM**

**WebEx.com** and enter **Meeting Number 717 984 556** and **Meeting Password 06042020**. To connect by phone, call **1-408-418-9388** and enter **Meeting Number 717 984 556**.

**CALL TO ORDER – 6 PM**

**INVOCATION – (Member Volunteer)**

**PLEDGE OF ALLEGIENCE – (Member Volunteer)**

**MISSION STATEMENT – (Member Volunteer)**

**I. PUBLIC COMMENT PERIOD (*Procedures are attached*)**

If you would like to participate in the Board's regular public comment period, you may do so by submitting written comments of 350 words or less to be read by the Secretary during the meeting via submitting comments on the website <https://www.moorecountync.gov/planning-and-transportation> or via email to [scormack@moorecountync.gov](mailto:scormack@moorecountync.gov) or by signing up with the Secretary to speak during the meeting. You may sign up to speak by emailing [scormack@moorecountync.gov](mailto:scormack@moorecountync.gov) or by calling 910-947-5010. All written comments and sign-ins must be received no later than 12:00pm on Thursday, June 4, 2020.

**II. APPROVAL OF CONSENT AGENDA**

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of March 5, 2020
- C. Consideration of Abstentions

**III. PUBLIC HEARINGS**

Those who wish to speak during a Public Hearing must sign up with the Secretary no later than 12:00pm on Thursday, June 4, 2020 either via email to [scormack@moorecountync.gov](mailto:scormack@moorecountync.gov) or via telephone at 910-947-5010. **Alternatively, citizens may submit their written comments via email to [scormack@moorecountync.gov](mailto:scormack@moorecountync.gov).** All written comments received prior to 12:00pm on Thursday, June 4, 2020 will be read by the Secretary during the Public Hearing on June 4, 2020. Written comments will be accepted 24 hours after the public hearing and any comments received after 12:00pm on Thursday, June 4, 2020 will be read to the board at the next meeting where the item is on the agenda.

1. **Par 5 Development Group, LLC and Par 5 Holding, LLC is requesting a Conditional Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial Conditional Zoning (B2-CZ) for a retail building, located on a portion of ParID 00032185, the total being approximately 3.81 acres out of approximately 12.98 acres, located at 4670 US 1 Hwy, adjacent to Grant Road,**

**owned by JE Causey Jr and J&F Feeney, LLC. per Deed Book 3097 Page 446 - Theresa Thompson**

- 2. Pete Mace is requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 13.21 acres (entire portion currently zoned B-2 located to the north of Love Grove Church Road) of an approximate 26.32 acre parcel, located on the corner of Love Grove Church Road and Carthage Road, West End, owned by Johnny & Kathy Harris, per Deed Book 5095 Page 156 - Dervin Spell**
- 3. Robert Hayter is requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of approximately 4.82 acres of an approximate 8.62 acre parcel (the entire parcel being rezoned to RA-40), located on US Hwy 1 and adjacent to Armstead Road, Vass, owned by Robert and Jacqueline Hayter, per Deed Book 2837 Page 80 - Dervin Spell**
- 4. Audio & Electronic Concepts, Inc. c/o Van Keller is requesting a General Use Rezoning from Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2) of an approximate 5.54 acre parcel, located on the corner of Juniper Lake Road and Murdocksville Road, owned by Audio & Electronic Concepts, Inc., per Deed Book 1659 Page 23- Theresa Thompson**
- 5. Unified Development Ordinance Text Amendments – Highway Corridor Overlay District.- Theresa Thompson**

**IV. PLANNING DEPARTMENT REPORTS - Debra Ensminger**

**V. BOARD COMMENT PERIOD - Chairman**

**VIII. UPCOMING EVENTS**

- Tuesday, June 16, 2020 10:30 AM Board of Commissioners Meeting to be held via WebEx**
- Thursday, July 2, 2020 6:00PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**
- Tuesday, July 21, 2020 10:30 AM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage**

**III. ADJOURNMENT**

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **give** to the County.*

*Please see attached procedures for the Public Comment Period and public comment during Public Hearing*

**PUBLIC COMMENT PROCEDURES  
MOORE COUNTY PLANNING BOARD**

*The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:*

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

*Adopted on the 4<sup>th</sup> day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.*

## **MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES**

*The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:*

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

*Adopted on the 5<sup>th</sup> day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board*



**MINUTES  
MOORE COUNTY PLANNING BOARD  
THURSDAY, MARCH 5, 2020 6:00 PM  
MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> FLOOR**

**Board Members Present:** Joe Garrison (Chairman), Eddie Nobles, John Matthews, Harry Huberth (Vice Chairman), Bobby Hyman, Jeffrey Gilbert, Matthew Bradley, John Cook

**Board Members Absent:** None

**Staff Present:** Debra Ensminger, Planning Director  
Torn Ross, Associate County Attorney  
Theresa Thompson, Planning Supervisor  
Dervin Spell, Planner  
Stephanie Cormack, Administrative Officer

**CALL TO ORDER**

Chairman Joe Garrison called the meeting to order at 6:00 pm.

**INVOCATION**

Board Member John Cook offered the invocation.

**PLEDGE OF ALLEGIANCE**

Chairman Joe Garrison led in citing of the Pledge of Allegiance.

**MISSION STATEMENT**

Board Member Eddie Nobles read the Moore County Mission Statement.

**PUBLIC COMMENT PERIOD**

There was no public comment.

**APPROVAL OF THE CONSENT AGENDA**

- A. Approval of Meeting Agenda
- B. Approval of Minutes of February 24, 2020
- C. Consideration of Abstentions

Board Member Jeffrey Gilbert made a motion for approval of the consent agenda. Board Member Harry Huberth seconded the motion and the motion passed unanimously 8-0.

## PUBLIC HEARING

**Public Hearing #1** –Moore County staff is requesting amendments to the Moore County Unified Development Ordinance.

Planning Supervisor Theresa Thompson presented to the board the requested amendments as noted within the staff report.

1. Chapter 3 (Intent of Zoning Districts), Section 3.13 (Parallel Conditional Zoning Districts) to clarify that conditional zoning districts are not subject to the minimum standards of the UDO.
  - a. *Item was removed from the Public Hearing to allow staff to conduct additional research on this item.*
2. Chapter 6 (Table of Uses), Section 6.1 (Use Table) to add Pottery Manufacturing and Sales in the RA, VB, B-1, B-2, and I Zoning Districts.
3. Chapter 7 (General Development Standards), 7.15 (Signs), Subsection K (Electronic Changeable Message Signs) to allow electronic message signs at religious institutions.
4. Chapter 8 (Specific Use Standards), Section 8.12 (Home Occupation, Level 2), Subsection B (Standards) to clarify that “child care home facility” is a separate use than “child care facility.
5. Chapter 8 (Specific Use Standards), Section 8.71 (Religious Institutions), Subsection B (Accessory Uses) to remove section number due to being subject to change.
6. Chapter 8 (Specific Use Standards), Section 8.92 (Pottery Manufacturing & Sales) to add specific use standard language for pottery manufacturing and sales.
7. Chapter 11 (Conditional Rezoning), Section 11.2 (Application Process), Subsection E (UDO Compliance) to clarify standards to mean “specific use” standards.
  - a. *Item was removed from the Public Hearing to allow staff to conduct additional research on this item.*
8. Chapter 19 (Definitions), Section 19.2 (Definitions), (Lot of Record, Nonconforming) to clarify that nonconforming lots of record should have been legally existing at the effective date of the UDO or prior freestanding ordinances.

Chairman Garrison inquired about the history why staff would remove a referenced section of the Unified Development Ordinance (UDO) from the language under Item #5.

Mrs. Thompson explained by removing a referenced section of the UDO in the language allows staff to modify sections that may potentially change the numbering system.

Board Member Huberth asked for clarification regarding item #8 and if setbacks would apply to these lots.

Mrs. Thompson explained setbacks would apply however minimum lot size may not apply depending on when the lot of record was recorded with the Register of Deeds office. Mrs. Thompson also explained if a lot was recorded through a deed it would not be considered a legal lot of record therefore not a buildable lot.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

With no further discussion or Public Comment Chairman Garrison closed the public hearing.

With no further comments Board Member Harry Huberth made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Bobby Hyman; motion passed unanimously 8-0 for approval.

Board Member Eddie Nobles made a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment removing item #1 and item #7 to the Moore County Unified Development Ordinance. The motion was seconded by Board Member John Matthews; motion passed unanimously 8-0 for approval.

## **PLANNING DEPARTMENT REPORTS**

Ms. Ensminger reminded the board of April's upcoming meeting.

## **BOARD COMMENT PERIOD**

Board Chair Garrison thanked staff for their hard work.

## **ADJOURNMENT**

With no further comments Board Member Harry Huberth made a motion to adjourn the March 5, 2020 regular meeting. The motion was seconded by Board Bobby Hyman and the motion passed unanimously 8-0. The meeting adjourned at 6:15 p.m.

Respectfully submitted by,

Stephanie Cormack

**MEMORANDUM TO THE PLANNING BOARD**

**FROM:** Debra Ensminger  
Planning & Transportation Director

**DATE:** April 20, 2020

**SUBJECT:** Conditional Rezoning Request: Residential and Agricultural-40 (RA-40) to Highway Commercial Conditional Zoning (B2-CZ) - Retail Building – US Hwy 1 / Grant Road

**PRESENTER:** Theresa Thompson

**REQUEST**

Par 5 Development Group, LLC and Par 5 Holding, LLC is requesting a Conditional Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial Conditional Zoning (B2-CZ) for a retail building, located on a portion of ParID 00032185, the total being approximately 3.81 acres out of approximately 12.98 acres, located at 4670 US 1 Hwy, adjacent to Grant Road, owned by JE Causey Jr and J&F Feeney, LLC. per Deed Book 3097 Page 446.

Public notification consisted of notification by mail to adjacent property owners and placing public hearing signs on the property.

**BACKGROUND**

The property is undeveloped.

**COMMUNITY MEETING**

The community meeting was conducted at the Vass Town Hall on March 12, 2020 between 6:00pm and 7:00pm. Adjacent properties were notified by certified return receipt mail, sent on February 24, 2020. Please refer to the attached report for more details.

**CONDITIONAL ZONING (CZ)**

Conditional rezoning affords a degree of certainty in land use decisions not possible when rezoning to a general district. Conditional Zoning Districts are established to provide for flexibility in the development of property while ensuring that the development is compatible with neighboring uses. Pursuant to NCGS 153A-342, conditional zoning districts requires the approval of a rezoning by the Moore County Board of Commissioners and approval of a site specific development plan allowing for the development of specific land uses. Parallel conditional zoning districts are restricted to those uses (meaning either one or multiple uses) listed in the corresponding general use zoning district.

The request shall be in compliance with all relevant portions of the UDO, except that variations from these standards may be approved by the Board of Commissioners if the site plan is

submitted and determined to be suitable for the request, is consistent with the intent of the standards, and ensures compatibility with land uses on surrounding properties.

Specific additional conditions applicable to the rezoning request may be proposed by the applicant, the Planning Board, or Board of Commissioners. Only those conditions mutually approved by the county and the applicant may be incorporated into the permit requirements. If a proposed condition is unacceptable to the owner, the petition can be withdrawn and the proposed rezoning cannot go forward. Likewise, if a condition is unacceptable to the Board of Commissioners, the petition can be denied and there is no rezoning.

Per NCGS 153A-342(B), conditions and site-specific standards shall be limited to those that address the conformance of development and use of the site to County ordinances and officially adopted plans and those that address the impacts reasonably expected to be generated by the development or use of the site.

### **ZONING DISTRICT COMPATIBILITY**

The requested rezoning to Highway Commercial Conditional Zoning (B2-CZ) for a Retail Building is consistent with the mixture of land uses in the area, including a church (Christ Community Church), Manufacturing of soldering equipment (Pace Worldwide), Mini-warehouse storage (Carolina Self-Storage), and single family residential. The surrounding area is zoned a mixture of Residential and Agricultural-40 (RA-40), Residential and Agricultural-20 (RA-20), Rural Equestrian (RE), Highway Commercial (B-2), and Industrial (I).

### **CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN**

The site has a Rural Agricultural Land Use Classification. The requested zoning to Highway Commercial (B-2) is not compatible with the Rural Agricultural Land Use Classification.

The Land Use Plan states the primary use of land in the Rural Agricultural Land Use Classification is to support rural residential life associated with agricultural uses (e.g. row crops, forestry, horticulture, grazing, poultry, dairy, swine operations, and intensive agricultural uses in certain areas) and other rural activities.

The Moore County Unified Development Ordinance states the Highway Commercial (B-2) district provides for the development of commercial and service centers that serve community, countywide, or regional commercial needs, are accessible by residents from surrounding neighborhoods, and are of such nature so as to minimize conflicts with surrounding residential areas.

Although this site is located within the Rural Agricultural Land Use Classification, the site is located adjacent to a major highway (US Hwy 1), other non-residential uses, and is located near the Town of Vass and the Town of Southern Pines, providing practicality, easy access, and reduced travel times to the nearby communities.

The site is located adjacent to the High Density Residential with Mixed Use Land Use Classification, as indicated by the orange color on the maps below. The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas, and Recommendation 1.7: Support and promote local businesses. Therefore, if approved, staff

recommends updating the Land Use Map to reclassify this site to the High Density Residential with Mixed Use Land Use Classification.

#### **MOORE COUNTY FUTURE LAND USE MAP**



#### **MOORE COUNTY COMPARISON LAND USE MAP**



## **RECOMMENDATION**

Staff recommends the Moore County Planning Board make two separate motions:

**Motion #1:** Make a motion to adopt the attached **Approval** or **Denial** Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. As specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan.

**Motion #2:** Make a motion to recommend **Approval** or **Denial** to the Moore County Board of Commissioners of the Conditional Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial Conditional Zoning (B2-CZ) for a retail building, located on a portion of ParID 00032185, the total being approximately 3.81 acres out of 12.98 acres, located at 4670 US 1 Hwy, adjacent to Grant Road.

## **ATTACHMENTS**

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Aerial Map
- Land Use Map
- Rezoning Map – County Zoning & Municipal Comparison
- Submitted Rezoning Application
- Submitted Site Specific Development Plan
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- Community Meeting Report
- Regional Land Use Advisory Commission (RLUAC) Letter
- Deed Book 3097 Page 446



**Views of subject property from US Hwy 1**





**Views of tent / storage building on corner of Grant Road / US Hwy 1**





## **Grant Road**



## **224 Grant Road (Abandoned House)**





**292 Grant Road (Abandoned House)**



**333 Grant Road (single family dwelling)**





**346 Grant Road (Pace Worldwide Manufacturing)**



**360 Grant Road Carolina Self Storage Mini-Warehouse)**



**US Hwy from Grant Road**



**US Hwy 1 northbound**





**View of 4780 US Hwy 1 (single family dwelling)**



**View of 4695 US Hwy 1 (single family dwelling located across US Hwy 1)**



**View of 4671 US Hwy 1 (single family dwelling located across US Hwy 1)**



**View of 128 / 123 Causey Rd (single family dwelling and a church located across US Hwy 1)**



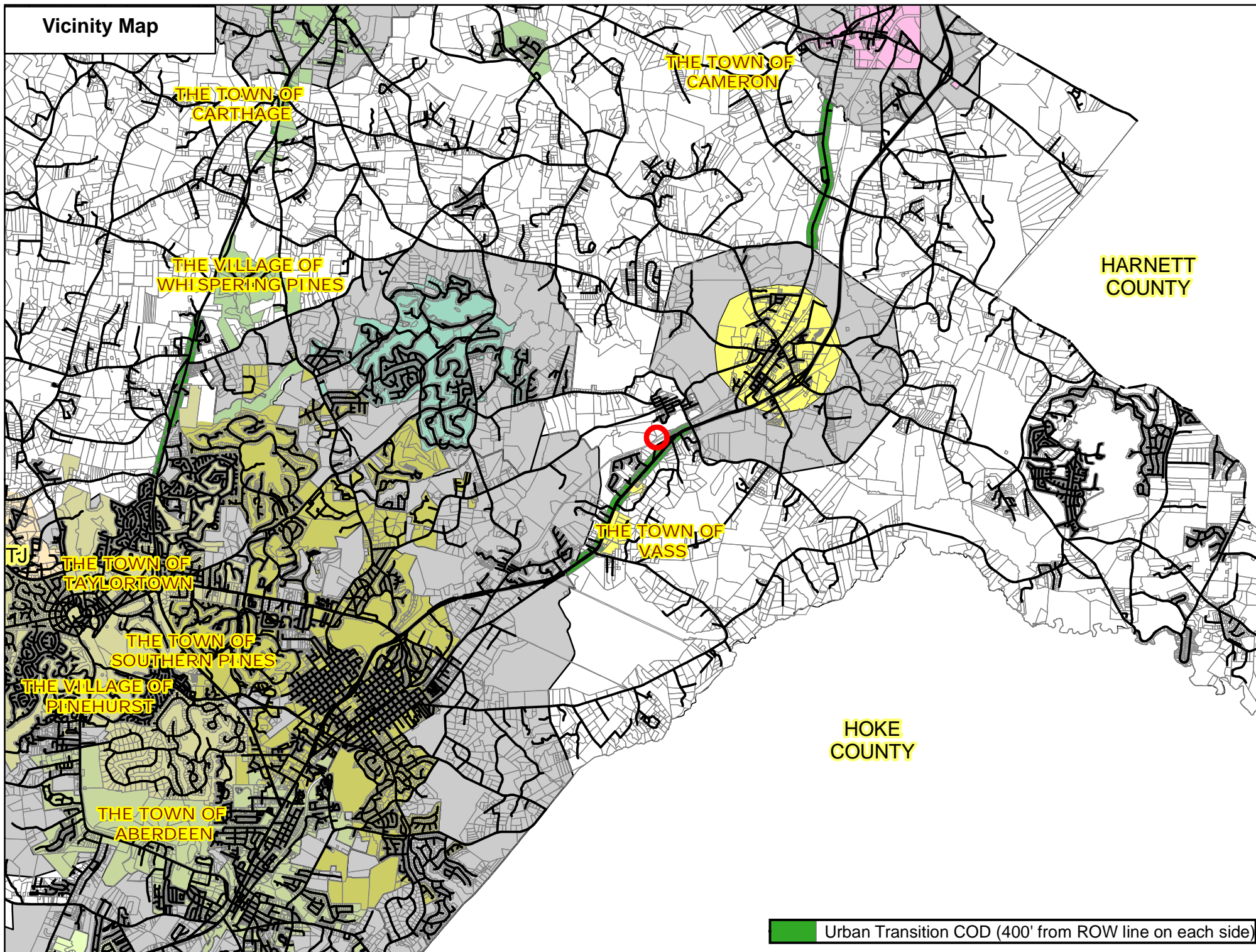


**View of US Hwy 1 Northbound (subject property located on the right)**





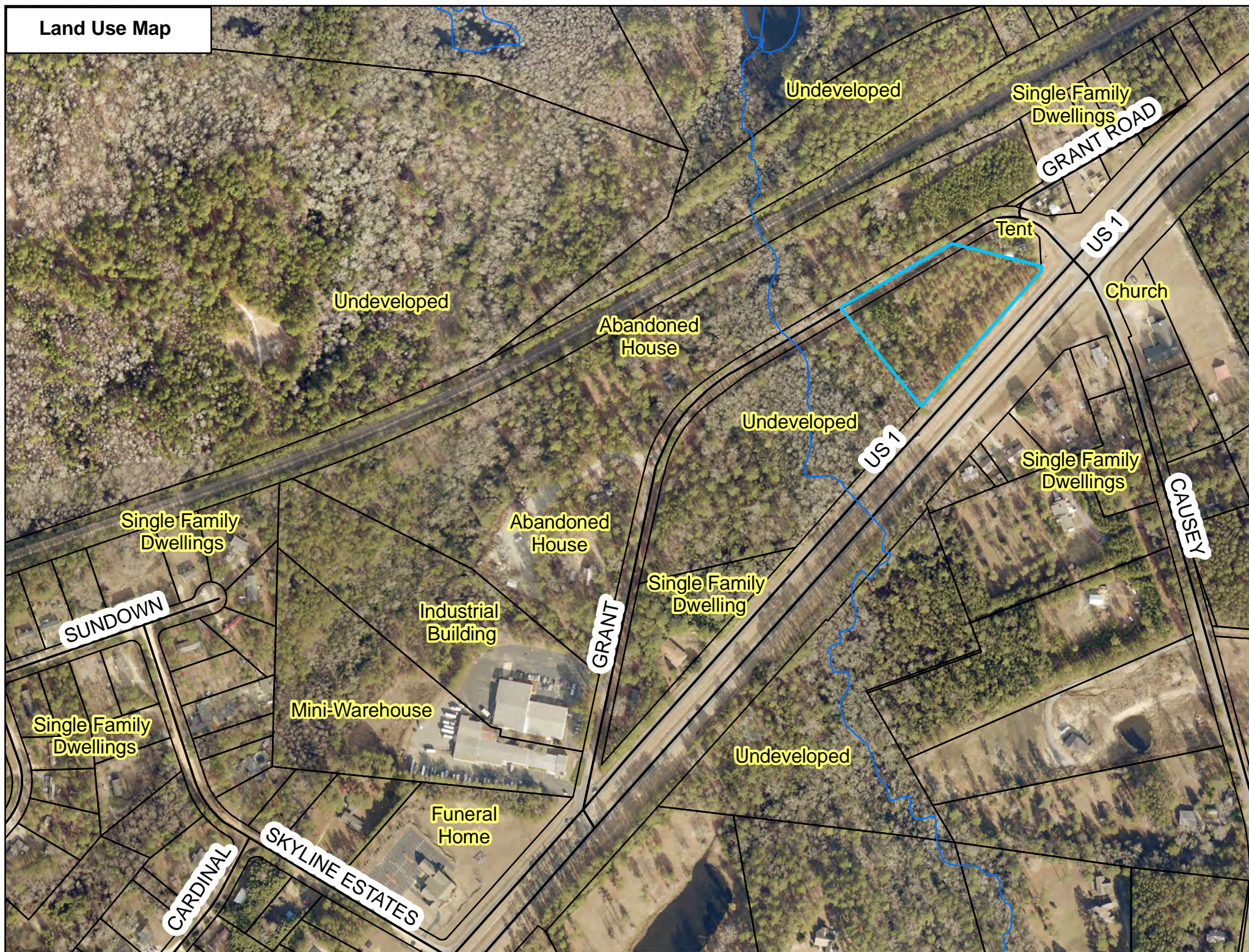
# Vicinity Map



Urban Transition COD (400' from ROW line on each side)

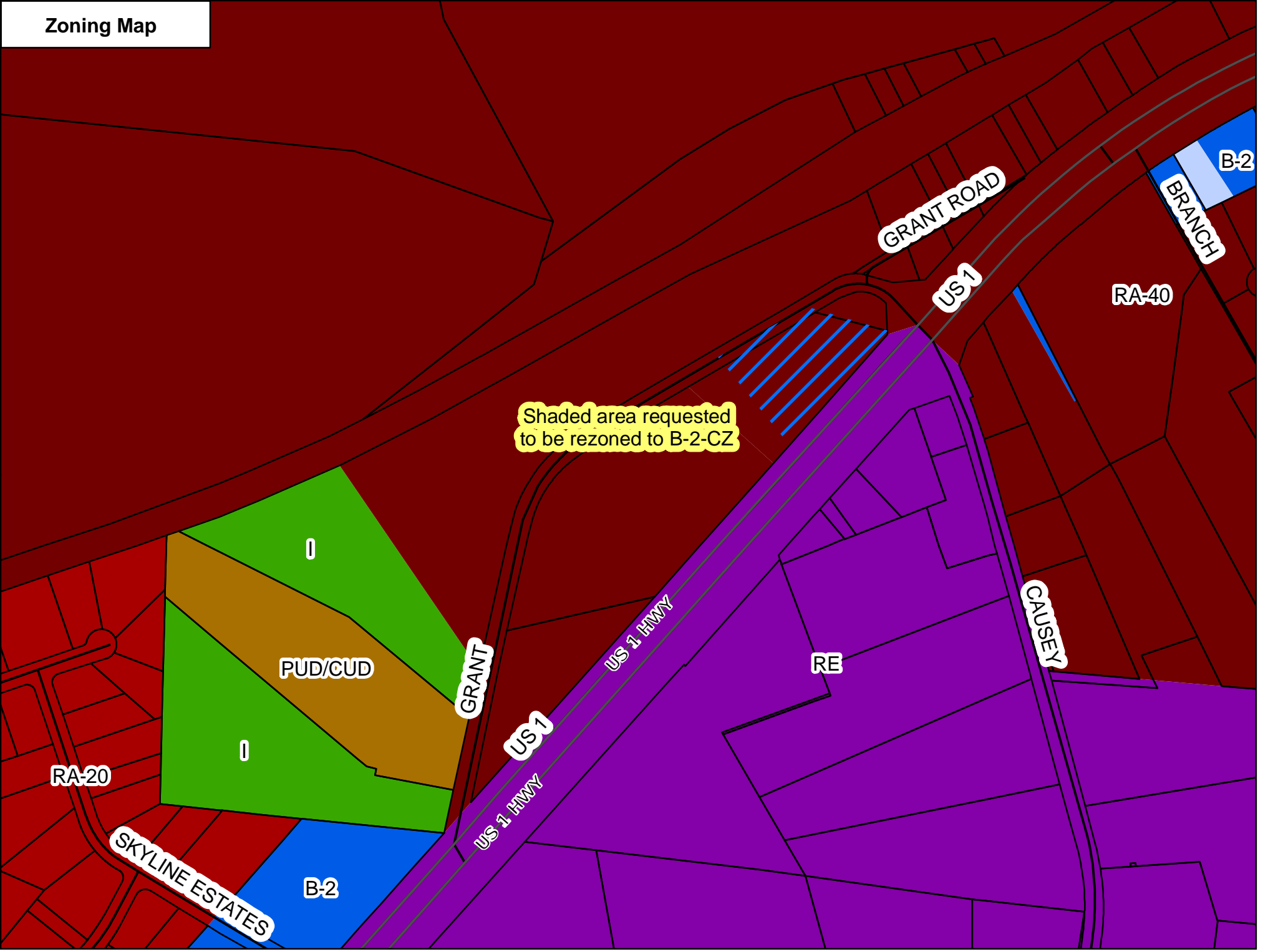


# Land Use Map





Zoning Map



Shaded area requested  
to be rezoned to B-2-CZ

PUD/CUD

RE

RA-40

B-2

BRANCH

GRANT ROAD

US 1

US 1 HWY

US 1

US 1 HWY

CAUSEY

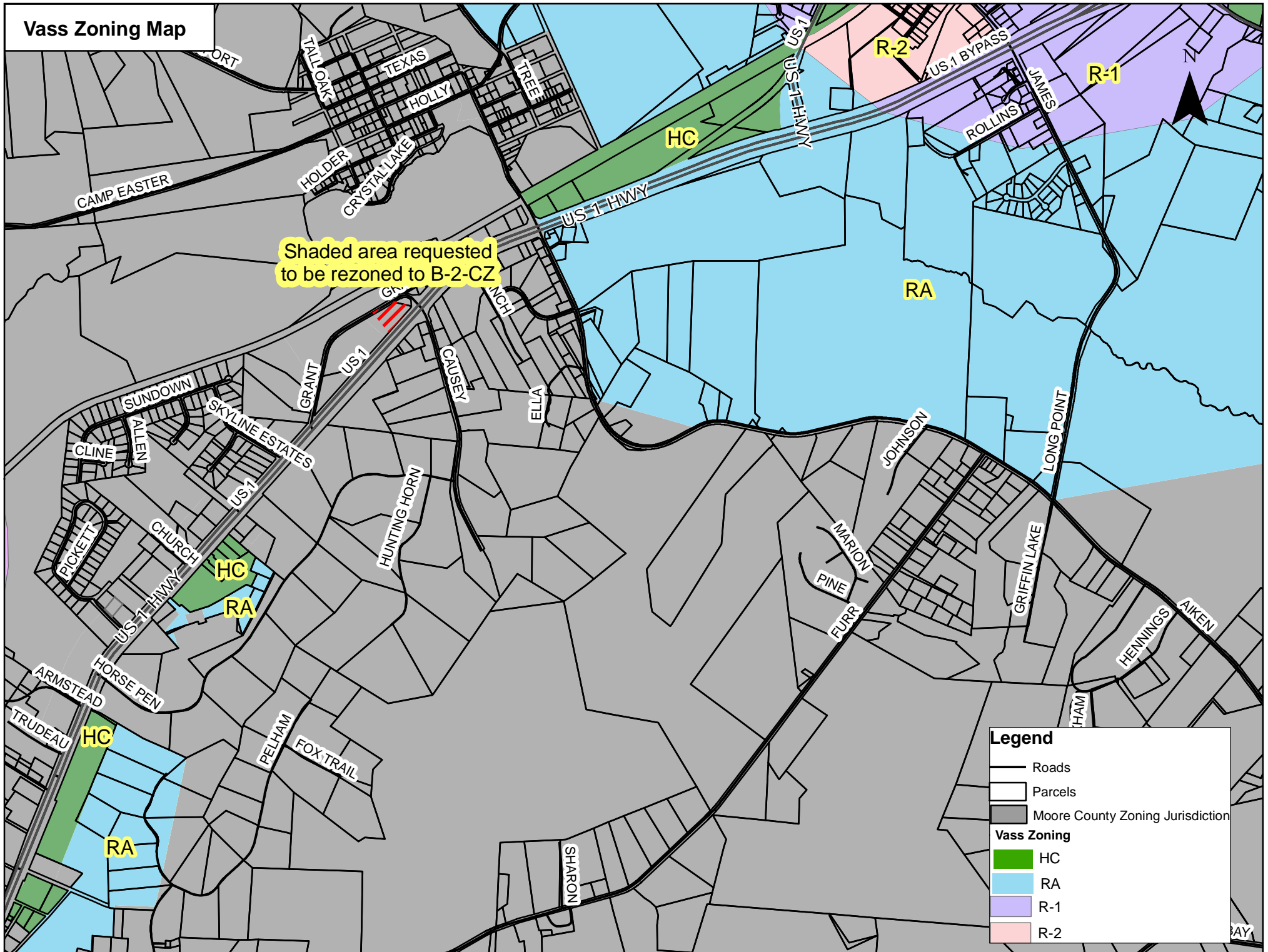
RA-20

B-2

SKYLINE ESTATES

GRANT

# Vass Zoning Map



Am# 2343e

# County of Moore Planning and Transportation



Inspections/Permitting: (910) 947-2221  
Planning: (910) 947-5010  
Transportation: (910) 947-3389  
Fax: (910) 947-1303

## Conditional Rezoning Application

Application Date: February 13, 2020			
Address of Property: Pin #950419604275, between US 1 and Grant Road			
Applicant: Par 5 Development Group, LLC/Par 5 Holding, LLC			Phone: 910-944-0881
Applicant Address: 2075 Juniper Lake Road	City: West End	St: NC	Zip: 27376
Owner: JE Causey Jr & J&F Feeney, LLC			Phone:
Owner Address: 8216 Bromley Road	City: Hillsborough	St: NC	Zip: 27278
Current Zoning District: RA-40	Proposed Zoning District: B-2		
Current Use(s): Vacant	Proposed Use(s): Retail		
Proposed rules, regulations, condition(s) for the proposed district that address the impacts expected to be generated by the development or use of the site:			
We are requesting the property be conditionally rezoned from RA-40 to B-2 per the attached site plan. The property will be a Dollar General with the associated parking as shown. The proposed impervious is below 24%, therefore, no storm water treatment or SNIA is required. The project will comply with the current Moore County UDO.			
Statement of reasonableness of the proposed conditional zoning. The statement shall include, but not be limited to the following:			
<ol style="list-style-type: none"> <li>1. The conditional rezoning compatibility with the County Land Use Plan and other adopted plans of the County.</li> <li>2. The conditional rezoning compatibility with the existing land uses on abutting and neighboring tracts.</li> <li>3. The benefits and detriments of the conditional rezoning for the subject property, neighboring properties and the surrounding community.</li> </ol>			
The 2013 land use plan shows this property area to be medium density residential. However, a commercial use is more consistent with the area than residential. Commercial property is located to the south along US 1. The site is suited for commercial because of the location of US 1. The tract is located between two streets and will be buffered per the UDO. There is a need for this type of use in the area. The project will be a benefit to the community.			

I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests or information as designated by the County of Moore Zoning Administrator.

Joe & Lee

Applicant/Owner Signature

2/17/20

Date

Applicant/Owner Signature

Date

Office Use Only:

PAR ID: 00032185

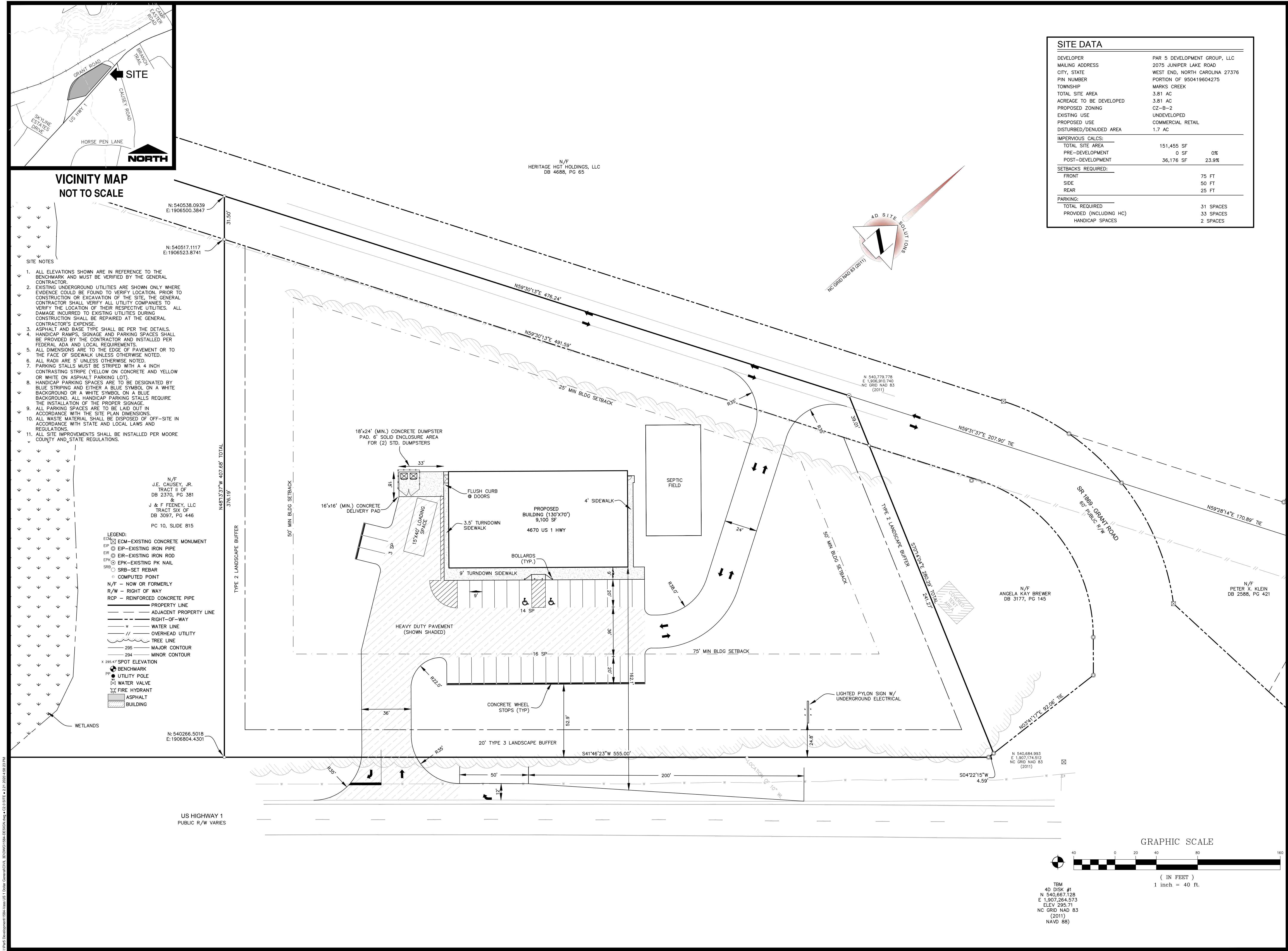
Reuben Thompson

Received By

2/17/2020

Date





REVISIONS

PROGRESS DRAWINGS  
DO NOT USE FOR CONSTRUCTION

PROJECT NAME

VASS US 1  
DOLLAR  
GENERAL

SITE PLAN

CLIENT

PAR 5  
DEVELOPMENT  
GROUP, LLC

2075 Juniper Lake Road  
West End, North Carolina 27376  
Phone: (910) 944-0881

PROJECT INFORMATION

DESIGNED BY:	SCOTT
DRAWN BY:	SCOTT
CHECKED BY:	CHRIS
PROJECT NUMBER:	1584

DRAWING SCALE

HORIZONTAL: 1"=30'

DATE RELEASED

FEBRUARY 21, 2020

SHEET NUMBER

C-2.0

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**Conditional Rezoning Request**  
**Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to**  
**Highway Commercial Conditional Zoning (B2-CZ) –Retail Building**

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.7: Support and promote local businesses
- Action 1.8.5: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. Approval of the rezoning request is also deemed an amendment to the Land Use Plan Future Land Use Map by reclassifying the site to the High Density Residential with Mixed Use Land Use Classification.

3. Contributing factors in the rezoning approval is in response to managing the demand of residential and commercial growth, largely resulting from the influx of families spurred by Fort Bragg's growth from the Base Realignment and Closure.

4. The rezoning request is reasonable and in the public interest considering the property is located adjacent to the Town of Vass and Town of Southern Pines communities and has availability of public water.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the Conditional Rezoning from Residential and Agricultural-40 (RA-40) to Highway



Commercial Conditional Zoning (B2-CZ) for a retail building, located on a portion of ParID 00032185, the total being approximately 3.81 acres out of 12.98 acres, located at 4670 US 1 Hwy, adjacent to Grant Road.

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Joe Garrison, Chair  
Moore County Planning Board

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Date

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**Conditional Rezoning Request**  
**Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to**  
**Highway Commercial Conditional Zoning (B2-CZ) – Retail Building**

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.7 Support and promote local businesses
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. Approval of the rezoning request is also deemed an amendment to the Land Use Plan Future Land Use Map by reclassifying the site to the Commercial/Office/Retail/Institutional Land Use Classification.

3. Contributing factors in the rezoning approval is in response to managing the demand of residential and commercial growth, largely resulting from the influx of families spurred by Fort Bragg's growth from the Base Realignment and Closure.

4. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the Conditional Rezoning from Residential and Agricultural-40 (RA-40) to Highway

Commercial Conditional Zoning (B2-CZ) for a retail building, located on a portion of ParID 00032185, the total being approximately 3.81 acres out of 12.98 acres, located at 4670 US 1 Hwy, adjacent to Grant Road.

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Joe Garrison, Chair  
Moore County Planning Board

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Date

**COMMUNITY MEETING REPORT**  
**THURSDAY, MARCH 12, 2020 6-7PM**  
**VASS TOWN HALL – 140 N. ALMA ST., VASS**

**Community Members Present:**

See attached sign-in sheet

**Applicant's Representatives Present:**

Zachary Ivey, Scott Brown

**Staff Present:**

Theresa Thompson, Dervin Spell

Zachary Ivey opened the meeting and presented the proposed site plan. He explained there will be 6 to 8 full time jobs. The proposed retail building is a Dollar General providing a place to shop with lower priced goods for sale. He stated they have considered utilizing architectural upgrades such as brick and hardy siding.

A summary of the questions/issues and responses discussed include the following:

Question – Will you be able to see the lights?

Response – The lights will be night sky friendly lighting that is downward facing with a casing over the light.

Concern – Trash seen at Dollar Generals.

Response – Dollar General has hired maintenance managers to go around to stores in their area to make sure they are clean. There is also a maintenance hotline to call if a store is not clean.

Why choose this site?

Response – There was a lot of due diligence completed along US Hwy 1. Dollar Generals pinpoint strategic target areas where there is residential not too far away and to determine where a store will be successful. They contacted several sellers and this site worked out based on its size, visibility, and accessibility.

Question– What is the reason to have two stores in Vass?

Response – The Dollar General model is to become a convenience shop usually located every five miles.

Question – You mentioned full time jobs and tax revenue. What is the benefit to the community?

Response – Also by offering a shop for lower priced items.

Question – Will there fresh produce?

Response – Will need to check on that.

Concern – The other Dollar General is about 2.5 miles away, not 5 miles.

Response – Dollar General wants to have store on US Hwy 1 to service that residents towards Southern Pines instead of having to go into Vass for easier access.

Comment – Will there be a U-Turn at Grant Road?

Response – There will be an entrance on Grant Road.

Issue – This project will cause traffic and congestion causing a public safety problem at Causey Road (which is the only vehicles access to the horse farms and hunt club) and Grant Road. The area consists of over 30 homes mostly being horse farms. The horse trailers are very big and difficult to maneuver. It is difficult to get onto US Hwy 1 southbound from Causey but manageable right now. If the zoning change is approved and build a high volume retail store it will change. Customers with deliver trucks from the south will have to make a left turn at the intersection and to turn left to go north on US Hwy 1. This increased traffic will overwhelm the small center median space on US Hwy 1. There will be serious accidents and will be a detriment to the community.

Response – A Dollar General is not a high volume traffic generator. There will be about 30 parking spaces. It will not be comparable to a Food Lion or a Walmart. NCDOT has reviewed the conceptual plan and only comment so far is requiring a right turn lane on US Hwy 1. US Hwy 1 is a high volume highway and is a perfect location for a commercial business.

Issue – Changing the greenspace is not a benefit to the community. This is horse country and we all picked this located because of its rural green space.

Response – It is a large parcel. They are trying to get as close to Grant Rd as possible. They are subdividing the property which has wetlands.

Question – Has NCDOT considered horse trailers crossing the highway?

Response – Cannot speak to what they look at specifically. I would assume they take into account proposed and existing uses of the intersection.

Question – Will there be a shared entrance?

Response – No.

Issue – Will you donate the rest of the property not being rezoned?

Response – Possibly, will check on that.

Concern – Decreased property values with a Dollar General across the street.

Response – Market research has shown Dollar Generals do not decrease property values.

Question – What would be the basis to rezone?

Response – To provide a store that can be a place for the community to by a service.

Question – What products are going to provide that isn't available at another store within 4 minutes from each other?

Response – The other stores are servicing those other areas.

Issue – By approving this we are not helping preserve downtown Vass, this could take business away from Vass. Vass will be losing tax revenue.

Response – There has been discussed a possibility of being annexed into Vass.

Question – Is this a franchise store?

Response – No, Dollar General will have a 15 year lease.

Issue – Regarding maintenance, the Southern Pines store didn't look like it was lighted.

Response – Dollar General is working on maintaining each store.

Issue – The track record is not great on US Hwy 1. The County Plan is a good one, why change it? Why does the location have to be there?

Response – The land acquisition team will have someone address comments on why they choose this site.

Issue – This is horse country. The project is not compatible with the neighborhood. Trees absorb noise. This area is unique being a gateway into horse country. There will be headlights into people's windows. There is stop and go traffic including tractor trailers. Green space needs to be protected. It is residential zoning all around.

Response – Will take this information back.

Issue – Built home in residential area and it should stay that way. The store will only be beneficial to you, not to the community. If there is a new store, the store located in Vass will close. Police stay in front of that store. People hang around the store.

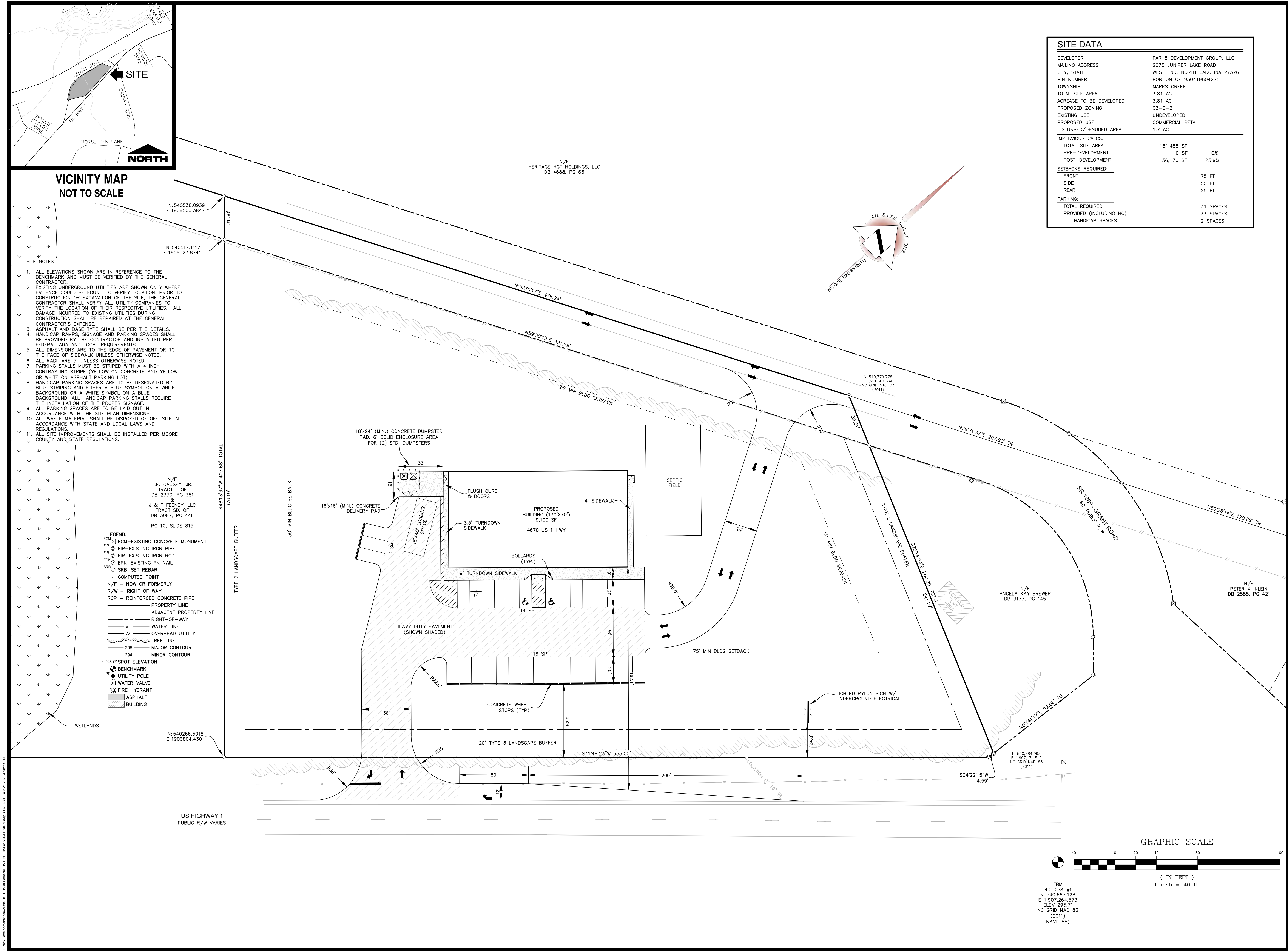
Response – We hear your concerns. We will take it back to the team and talk through it.

List of those notified of the Community Meeting (abutting property owners):

MCRAE, WILLIAM HARRISON & HEINOLD, LAWRENCE SNOW, PETER D HERITAGE HGT HOLDINGS, LLC A NEW BEGINNING ASSEMBLY	GARNER, DORIS CAUSEY, J E JR & OLDHAM, REBECCA JUNE Par 5 Development Group LLC / BREWER, ANGELA KAY
---	--

Attachments:

- Site plan presented at the Community Meeting
- Community Meeting sign-in sheet



**4Dsite solutions**  
civil engineering | land surveying  
409 Chicago Drive, Suite 112, Fayetteville, NC 28306  
office | 910-426-6777 fax | 910-426-5777 license number | C-2354  
www.4dsitesolutions.com

**PROGRESS DRAWINGS**  
DO NOT USE FOR CONSTRUCTION

**PROJECT NAME**  
**VASS US 1 DOLLAR GENERAL**

**SITE PLAN**

**CLIENT**  
**PAR 5 DEVELOPMENT GROUP, LLC**

2075 Juniper Lake Road  
West End, North Carolina 27376  
Phone: (910) 944-0881

**PROJECT INFORMATION**

DESIGNED BY:	SCOTT
DRAWN BY:	SCOTT
CHECKED BY:	CHRIS
PROJECT NUMBER:	1584

**DRAWING SCALE**  
HORIZONTAL: 1"=30'

**DATE RELEASED**  
FEBRUARY 21, 2020

**SHEET NUMBER**  
**C-2.0**



Grant Road - CZ - Retail Buiding  
Community Meeting  
12-Mar-20

NAME

Address

Tia Chick	281 Causey Rd Vass, NC 28394
Beverly Fox	422 Horse Pasture Vass NC 28394
Eric D. Dartsch	not a tick 105 1152
Reba D. Dartsch	333 Major Carthage 28327
John Simon	241 Pelham Trl NW Vass 28394
Nancy Kece	421 Pelham Trl NE Vass 28394
Cheri Speer	221 Spring Brook Ct Vass NC 28394 & 1014 Branch Trail Vass NC 28394
Deborah M. A. A. A.	665 Horse Ranch, Vass 28394
Nelson Garrett	277 Causey Rd Vass 28394
Elizabeth Garrett	277 Causey Rd Vass 28394
Brady T. Dartsch	506 East Main
Mary Ellen Bailey	330 Causey Rd
Jodie Dartsch	235 Huntingdon Lane Vass, 28394
Manuella Price	149 Fox Road Vass
Robert Jimmy Jody	34 Pelham Tr NE Vass.
Will Elliott	121 Pelham Tr NE Vass
Jackie A. A.	307 Huntingdon Vass - 28394
FRANK SABATINO	301 Huntingdon Vass - 28394
Randy Sabatino	301 Huntingdon Vass - 28394

Grant Road - CZ - Retail Building  
Community Meeting

12-Mar-20

NAME	Address
Robin Foster	264 Causey Rd Vass NC 28394
David L. Cohen, MD	225 Deaforth Rd, Vass, NC 28394
Craig Stokes	281 Causey Rd Vass NC 28394
VERA W STONE	333 BELHAM FARMS DRIVE VASS NC 28394
TESSA ALEXANDER	375 FIREB RD Vass, NC 28394
MEG MILLER	186 CAUSEY RD VASS NC 28394
Philip SCALIA	665 HORSE PEN LN VASS NC 28394
Vicky Thomas	507 Horse Pen Ln Vass NC 28394
Virginia Woods	249 Causey Rd Vass NC 28394
Pete Green	176 Causey Rd Vass NC 28394
Phyllis Kreiner	327 Huntingtown Vass NC 28394
Ann & Bob DeMoulin	250 Horse Pen Ln Vass NC 28394
Joan DeBell	674 Young Rd Vass NC 28394
Richard Allenbaugh	500 Horse Pen Lane Vass NC 28394
Susan Stallings	419 CAUSEY RD - VASS NC 28394
Bob & Carolyn Lynd	118 BELHAM TR NW VASS NC
Cheryl Basser	1178 Jones Creek Rd Cameron NC 28326
Martha Hill	875 Belham Farm NW VASS NC 28394

# Sign-In Sheet

**Name**

## Address

**Phone #**

BYRON SEVIERO 215 Causey Rd, 910 315-8084

JONATHAN SLOTT 497 HORSE PEN LN. 910-692-3054

HARTIN HUBERTH 291 BOUND ALONG ST 910 692-5331

Scott Brown 400 Chicago Dr. Ste 112, Fayetteville, NC 910-426-6777

Jay Collins 192 Fox Trail Vass 910.633-0106

Gronja Van Fossen 155 Huntingdon Ave 910-639-1918

Gary Legner 155 Huntingdon Ave 910690-9000

MAK Elliott 121 Pelham Terrace



**MOORE COUNTY CONDITIONAL REZONING REQUEST**  
**Par 5 Development Group, LLC and Par 5 Holding, LLC**

**Location:** 4670 US 1 Hwy,

**Request:** Conditional Rezoning: Residential and Agricultural-40 (RA-40) & Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ)  
Retail Building **PIN#:** 950419604275

**March 16, 2020**

Following a review of the conditional rezoning request by the RLUAC staff and Board of Directors for the property listed above, and recognizing that our findings are non-binding on Moore County, the RLUAC Board of Directors finds that:

- The parcel is identified as IMPORTANT to conserve on the Joint Land Use Study maps due to its location within an area designated as High Quality and Outstanding Resource Waters (HQORW) and,
- There are no military impacts.

RLUAC encourages the County to consider this HQORW designation during the rezoning review process. In addition, due to the proximity of a known active red-cockaded woodpecker cluster, we encourage the petitioner to have this property surveyed by personnel experienced in management and monitoring of the species prior to the removal of any mature pine trees. The results of this survey should be sent to the USFWS office located in Southern Pines, NC for review.

Thank you for allowing RLUAC to review this case.

John K. McNeill, Chairman

Peter Campbell, Executive Director

FOR REGISTRATION REGISTER OF DEEDS  
Judy D. Martin  
Moore County, NC  
September 14, 2006 10:51:20 AM  
Book 3097 Page 446-450  
FEE: \$26.00  
INSTRUMENT # 2006018412

BK 2776 PG 1075

FILED  
CATAWBA COUNTY  
DONNA HICKS SPENCER  
REGISTER OF DEEDS



INSTRUMENT # 2006018412

FILED Aug 30, 2006  
AT 09:21:43 am  
BOOK 02776  
START PAGE 1075  
END PAGE 1079  
INSTRUMENT # 24603  
EXCISE TAX (None)  
BR

This conveyance is for business convenience only  
and is without consideration. Therefore, no revenue  
or excise tax stamps are required for recording this  
deed pursuant to N.C. General Statutes, Section 105-228.29  
(See N.C. Attorney General Opinion in 43 N.C.A.G. 79 (1973))

✓ Prepared by and return  
after recording to:

Moore & Van Allen PLLC  
100 North Tryon Street, Floor 47  
Charlotte, North Carolina 28202  
Attn: Kenneth S. Coe, Esq.

NO TITLE EXAMINATION PERFORMED

Grantee's address: 15126 Stonegreen Lane  
Huntersville, NC 28078

Tax Parcel Nos.: 32192, 32178, 20050490, 20050489, 20050488, 20050487, 32188, 32190, 20030607,  
30990 and 32185

STATE OF NORTH CAROLINA

Excise Stamps: \$0.00

COUNTY OF ~~CATAWBA~~ MOORE

### NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED is made effective as of the 28<sup>TH</sup> day of AUGUST, 2006, by and between  
JOAN C. FEENEY and spouse, FRANK R. FEENEY, Grantor, and J & F FEENEY, LLC, a North  
Carolina limited liability company, Grantee, the designation Grantor and Grantee as used herein shall  
include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine,  
feminine or neuter as required by context;

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of  
which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the  
Grantee in fee simple, all of their right title and interest (**which consists of a 50% undivided interest**) in  
and to those certain lots or parcels of land situated in Moore County, North Carolina and more  
particularly described as follows:

See Exhibit A attached hereto and incorporated herein by reference.

The property hereinabove-described (the "Property") was acquired by Grantor by instruments recorded in **Book 2224, Page 374, Book 1881, Page 209, Book 2370, Page 381, Book 2401, Page 94 and Book 2514, Page 94** of the Moore County Public Registry.

**TO HAVE AND TO HOLD** the aforesaid lots or parcels of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

**AND THE GRANTOR** covenants with the Grantee, that the Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the Property is subject to the following exceptions:

1. Taxes for the year 2006 and subsequent years.
2. All road right-of-ways of record and those other encumbrances, reservations, restrictions, easements and other exceptions appearing of record and any items that would be shown by a current, accurate survey of the Property.

**SIGNATURE PAGE FOLLOWS**

## SIGNATURE PAGE

IN WITNESS WHEREOF, the Grantor has hereunto set their hands the day and year first above written.

Joan C. Feeney  
Joan C. Feeney

Frank R. Feeney  
Frank R. Feeney

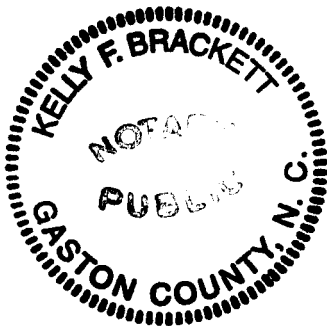
STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, KELLY F. BRACKETT, a Notary Public of the aforesaid County and State, do hereby certify that Joan C. Feeney and Frank R. Feeney personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and notarial seal this 28<sup>TH</sup> day of AUGUST, 2006.

(Affix Notary Seal)



Kelly F. Brackett  
Notary Public

My Commission Expires:

1/31/08

Exhibit A

## Legal Description of the Property

Lying and being in Moore County, North Carolina and more particularly described as follows:

## TRACT ONE:

BEING all of that 59.30 acre tract as shown on that plat entitled "Recombination Survey for Hiram's Woods, LLC" by L.M. Stewart Land Surveying, dated March 4, 2003, said plat is now on file in the office of the Register of Deeds of Moore County in Plat Cabinet 10, Slide 446, to which plat reference is hereby made for a more particular description of same.

BEING the same property described as Tract I in Deed recorded in Deed Book 2224, Page 374 of the Moore County Public Registry.

ALSO BEING the same property shown as Tracts 1-6 on that certain plat entitled "Level 1 Minor Plat Division Survey for Hiram's Woods, LLC" dated April 22, 2004 and recorded in Plat Cabinet 11, Slide 509 of the Moore County Public Registry.

LESS AND EXCEPT from the above-described property all of Tract 6 as shown on that certain plat entitled "Level 1 Minor Plat Division Survey for Hiram's Woods, LLC" dated April 22, 2004 and recorded in Plat Cabinet 11, Slide 509 of the Moore County Public Registry which tract was conveyed to Douglass E. Spence and Cheri Lynna Spence by deed recorded in Book 2859, Page 451 of the Moore County Public Registry.

## TRACT TWO:

BEING all of that 86.41 acre tract as shown on that plat entitled "Recombination Survey for Hiram's Woods, LLC", prepared by L.M. Stewart Land Surveying, dated February 24, 2003, said plat is now on file in the office of the Register of Deeds of Moore County in Plat Cabinet 10, Slide 444, to which plat reference is hereby made for a more particular description of the same.

BEING the same property described as Tract II in Deed recorded in Deed Book 2224, Page 374 of the Moore County Public Registry.

## TRACT THREE:

BEING all of Lot 2B, containing 14.50 acres, more or less, as the same is shown on that certain plat entitled "Level 1 Minor Plat for Hiram's Woods, LLC" dated September 22, 2004 and recorded in Plat Cabinet 11, Slide 856 of the Moore County Public Registry.

BEING a portion of the property described in Deed recorded in Deed Book 1881, Page 209 of the Moore County Public Registry.



TRACT FOUR:

Parcel A:

BEING all of Tract 3, containing 9.93 acres as per plat and survey thereof entitled "Recombination Survey for Hiram's Woods, LLC", prepared by Lloyd M. Stewart, Land Surveying, said plat is now on file in the office of the Register of Deeds of Moore County in Plat Cabinet 10, Slide 813, to which plat reference is hereby made for a more particular description of the same.

Being the same property described as Tract I in Deed recorded in Deed Book 2370, Page 381 of the Moore County Public Registry.

Parcel B:

BEING all of that 0.08 acre tract as shown on the plat and survey entitled "Survey for Hiram's Woods, LLC Recombination of Tract 3", said 0.08 acre tract is shown on said plat as hatched area to be added to Tract 3, said plat is now on file in the office of the Register of Deeds of Moore County in Plat Cabinet 10, Slide 928, to which plat reference is hereby made for a more particular description of the same.

Being the same property described in Deed recorded in Deed Book 2401, Page 94 of the Moore County Public Registry.

TRACT FIVE:

BEING all of Tract 5, containing 19.40 acres as per plat and survey thereof entitled "Recombination Survey for Hiram's Woods, LLC", said plat is now on file in the office of the Register of Deeds of Moore County in Plat Cabinet 10, Slide 815, to which plat reference is hereby made for a more particular description of same.

Being the same property described in Deed recorded in Deed Book 2514, Page 94 of the Moore County Public Registry.

TRACT SIX:

BEING all of Tract 4, containing 12.98 acres as per plat and survey thereof entitled "Recombination Survey for Hiram's Woods, LLC", prepared by Lloyd M. Stewart Land Surveying, said plat is now on file in the office of the Register of Deeds of Moore County in Plat Cabinet 10, Slide 815, to which plat reference is hereby made for a more particular description of same.

Being the same property described as Tract II in Deed recorded in Deed Book 2370, Page 381 of the Moore County Public Registry.

**MEMORANDUM TO THE PLANNING BOARD**

**FROM:** Theresa Thompson  
Planning Supervisor

**DATE:** April 20, 2020

**SUBJECT:** General Use Rezoning Request:  
Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) –  
Love Grove Church Road

**PRESENTER:** Dervin Spell

**REQUEST**

Pete Mace is requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 13.21 acres (entire portion currently zoned B-2 located to the north of Love Grove Church Road) of an approximate 26.32 acre parcel, located on the corner of Love Grove Church Road and Carthage Road, West End, owned by Johnny & Kathy Harris, per Deed Book 5095 Page 156.

Public notification consisted of notification by mail to adjacent property owners and placing public hearing signs on the property.

**BACKGROUND**

The property is currently undeveloped. Adjacent properties include single family dwellings and undeveloped property.

**ZONING DISTRICT COMPATIBILITY**

The requested rezoning to Residential and Agricultural-20 (RA-20) is consistent with the existing uses located near the property, including single family residential. The surrounding area is zoned a mixture of Residential and Agricultural-20 (RA-20), Residential and Agricultural-40 (RA-40), and Residential and Agricultural-5 (RA-5).

**CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN**

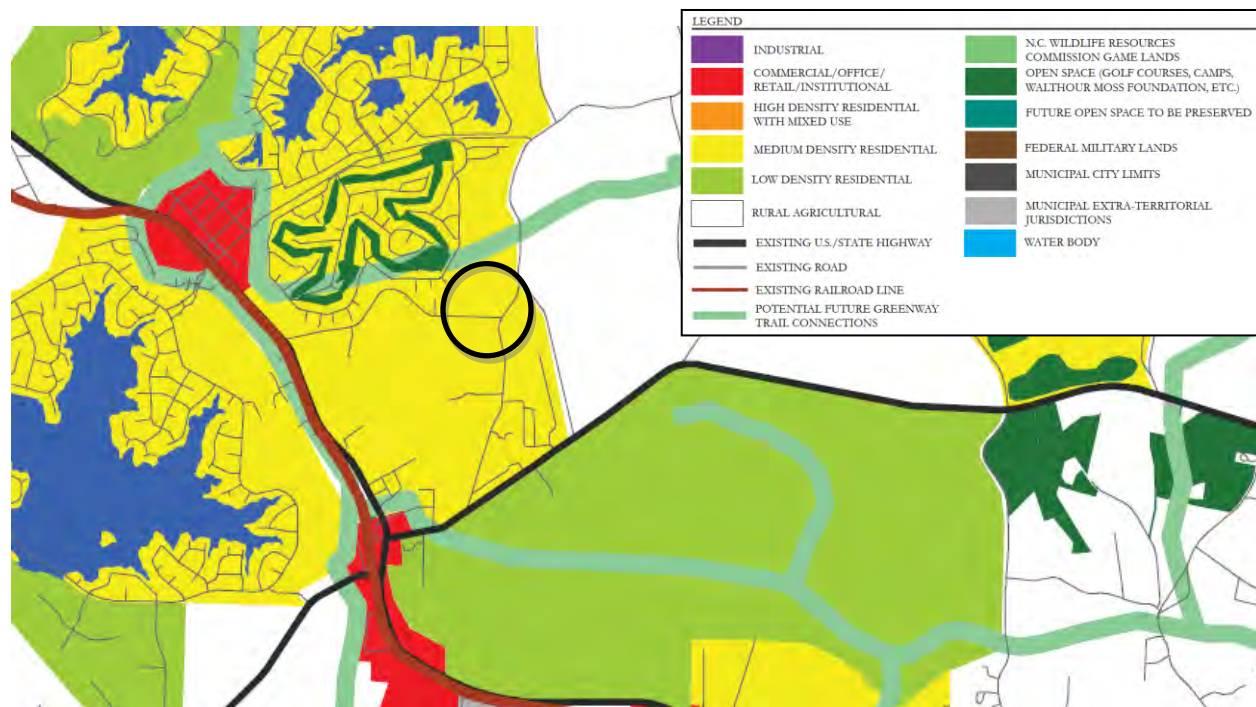
The future land use map identifies the property as Medium Density Residential Land Use Classification. The requested zoning to Residential and Agricultural-20 (RA-20) is compatible with the Medium Density Residential Land Use Classification.

The Land Use Plan states the primary use of the Medium Density Residential Land Use Classification is a density 2 (two) to 4 (four) dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This may also include certain non-residential neighborhood supportive uses such as schools, daycares, churches and others. Density would require engineered sewerage disposal systems. Public infrastructure

and facilities such as roads, water, sewer, schools, fire/rescue, open space, and must be adequate to accommodate the development. The public service providers in the proximity of these areas shown on the Future Land Use Map shall consider extending, upgrading and/or preserving infrastructure in these locations.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas and Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

### **MOORE COUNTY FUTURE LAND USE MAP**



### **RECOMMENDATION**

Staff recommends the Moore County Planning Board make two separate motions:

**Motion #1:** Make a motion to adopt the attached **Approval or Denial** Land Use Plan Consistency Statement to authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

**Motion #2:** Make a motion to recommend **Approval or Denial** to the Moore County Board of Commissioners of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 13.21 acres (entire portion currently zoned B-2 located to the north of Love Grove Church Road) of an approximate 26.32 acre parcel, located on the corner of Love Grove Church Road and Carthage Road, West End.



## **ATTACHMENTS**

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Land Use Map
- Rezoning Map
- Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- UDO – Chapter 6. Table of Uses
- Deed Book 5095 Page 156

**View of subject property from the intersection of Love Grove Church Rd and Carthage Rd**



**Love Grove Church Road**





**View of property across Carthage Road**



**View of Carthage Road going southbound**





**187 Love Grove Church Road**



**207 Love Grove Church Road**

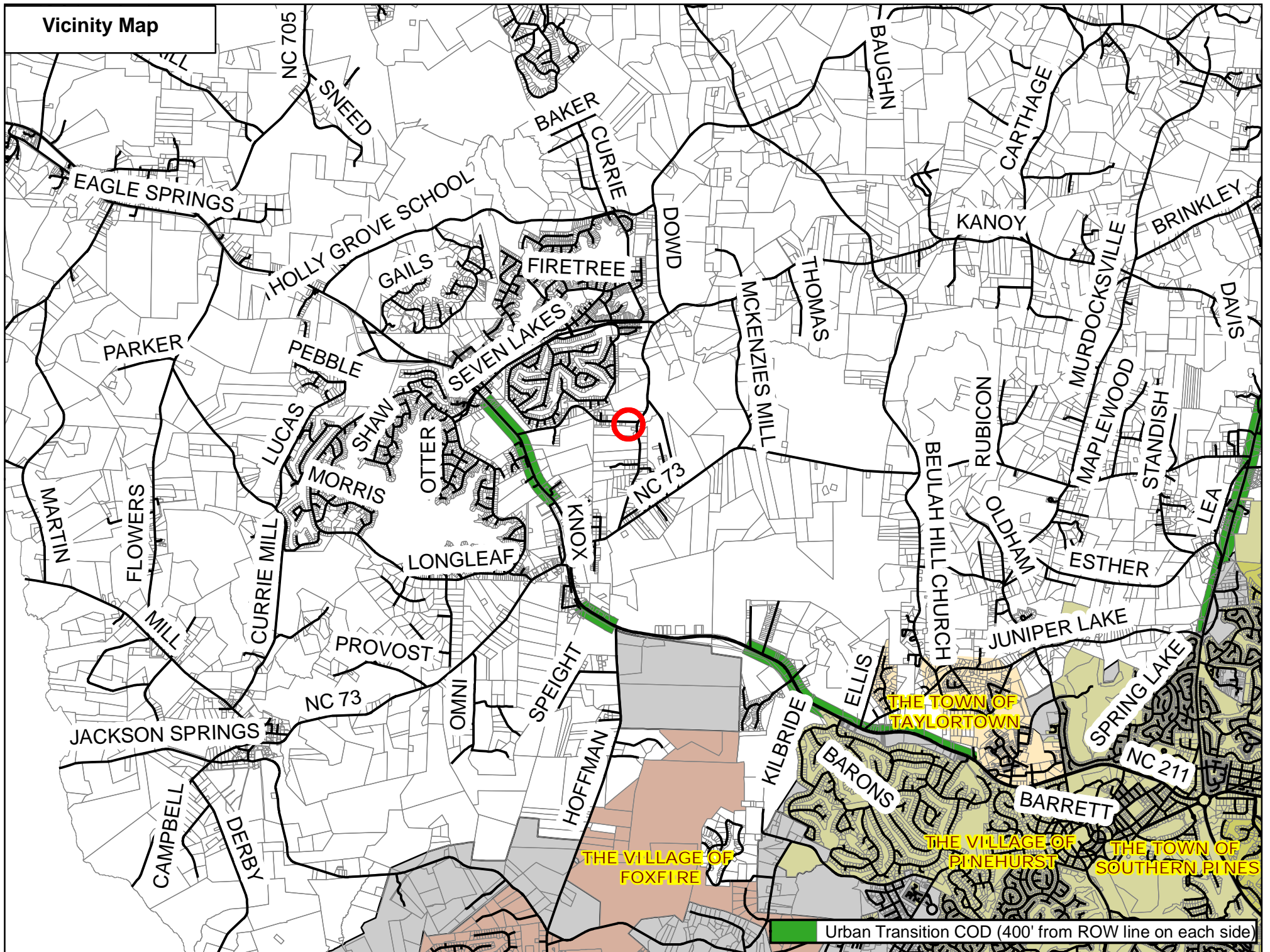




**236 Love Grove Church Road**

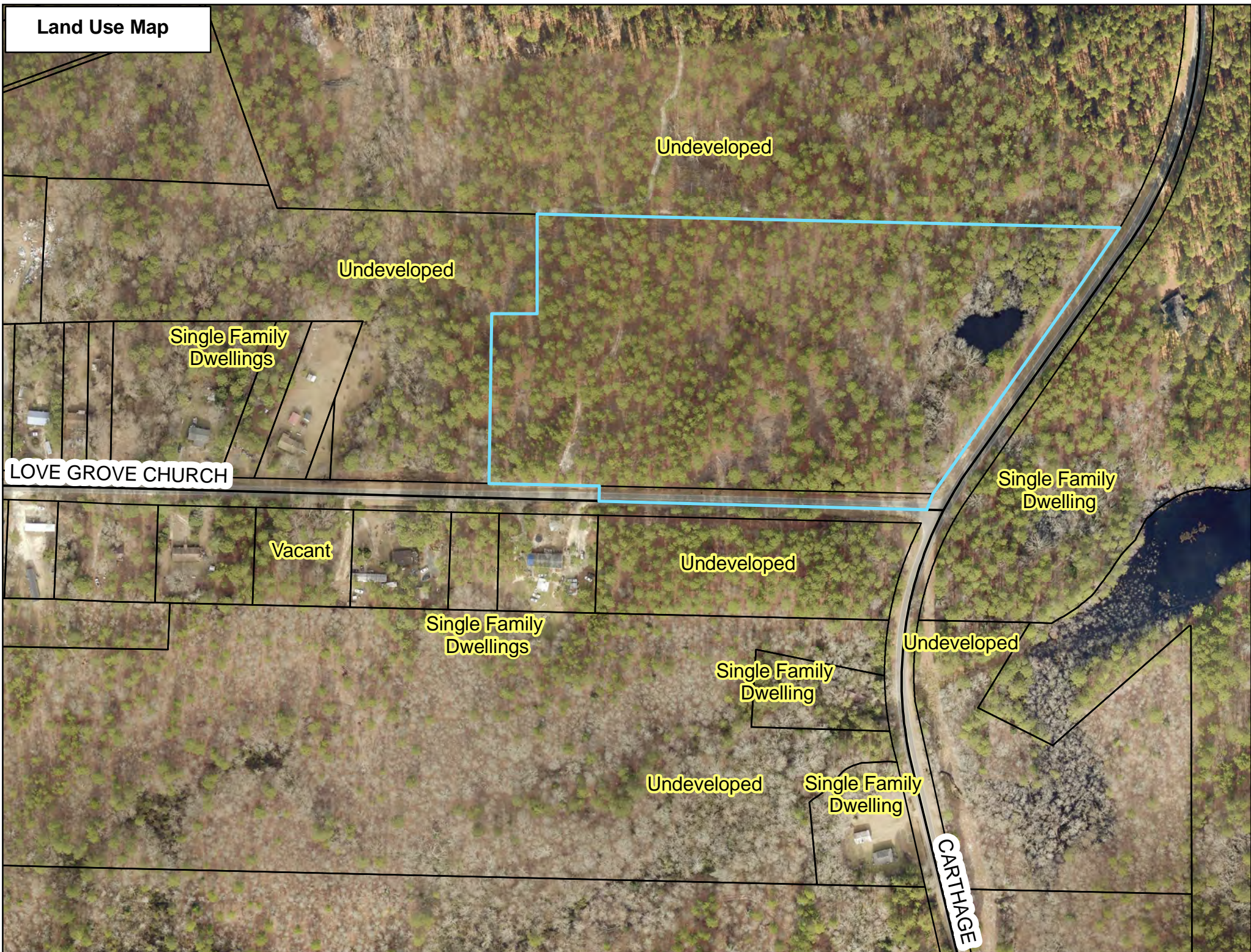


Vicinity Map





Land Use Map





Zoning Map

RA-5

Shaded area requested  
to be rezoned to RA-20

RA-20

B-2

CARTHAGE

LOVE GROVE CHURCH

RA-20

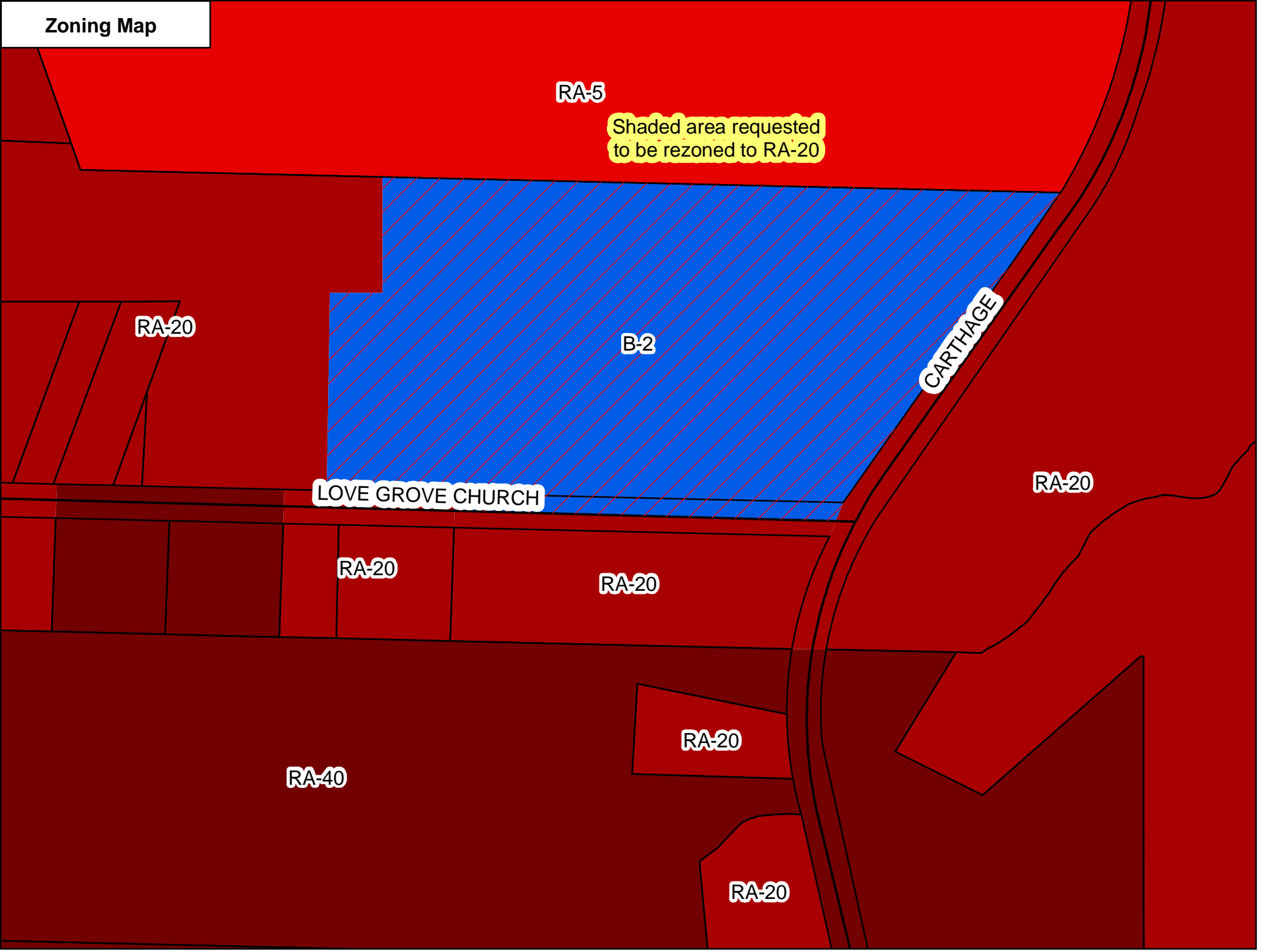
RA-20

RA-20

RA-20

RA-40

RA-20



28739

# County of Moore Planning and Transportation



Inspections/Permitting: (910) 947-2221  
 Planning: (910) 947-5010  
 Transportation: (910) 947-3389  
 Fax: (910) 947-1303

## GENERAL USE REZONING APPLICATION

Application Date: 2/12/2020		4154 Carthage Rd, West End, NC	
Location/Address of Property: Corner of Carthage & Love Grove Ch Rd 27376			
Applicant: Pete Mace / PO 2605, SP 28388		Phone: (910) 639-2882	
Applicant Address: 170 Pine Barrens Vista		City: Southern Pines	St: NC Zip: 28387
Owner: Johnny Harris & Kathy Harris		Phone: (910) 638-5480	
Owner Address: 4291 Dowd Rd		City: Carthage NC	St: NC Zip: 28327
Current Zoning District: B-2		Proposed Zoning District: RA-20	
Comments: Rezoning from B-2 to RA-20 RA-20 Surrounds the Parcel * Entire B-2 Zoning Area of PID# 00020635 to Be Re-Zoned RA-20.			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
[Signature of Pete Mace] Applicant/Owner Signature		2/12/2020 Date	
[Signature of Johnny Harris] Applicant/Owner Signature		2/12/2020 Date	
Office Use Only: PAR ID: 00020635 [Signature of Rosam Thompson] Received By Date			



28739

# County of Moore Planning and Transportation



Inspections/Permitting: (910) 947-2221  
 Planning: (910) 947-5010  
 Transportation: (910) 947-3389  
 Fax: (910) 947-1303

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Applicant: Pete Mace / PO 2605, SP 28388		Phone: (910) 639-2882	
Applicant Address: 170 Pine Barrens Vista		City: Southern Pines	St: NC Zip: 28387
Owner: Johnny Harris & Kathy Harris		Phone: (910) 638-5480	
Owner Address: 4291 Dowd Rd		City: Carthage NC	St: NC Zip: 28327
Current Zoning District: B-2		Proposed Zoning District: RA-20	
Comments: Rezoning from B-2 to RA-20 RA-20 Surrounds the Parcel * Entire B-2 Zoning Area of PID# 00020635 to Be Re-Zoned RA-20.			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
[Signature of Pete Mace] Applicant/Owner Signature		2/12/2020 Date	
[Signature of Johnny Harris] Applicant/Owner Signature		2/12/2020 Date	
Office Use Only: PAR ID: 00020635 [Signature of Rosam Thompson] Received By Date			

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**General Use Rezoning Request**  
**Highway Commercial (B-2) to Rural Agricultural-20 (RA-20)**

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The rezoning request is reasonable and in the public interest considering the property is located adjacent to an existing highway, other developed residential properties, has access to public water, and is in close proximity to the Seven Lakes community providing practicality, easy access, and reduced travel times.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 13.21 acres (entire portion currently zoned B-2 located to the north of Love Grove Church Road) of an approximate 26.32 acre parcel, located on the corner of Love Grove Church Road and Carthage Road, West End.

---

Joe Garrison, Chair  
Moore County Planning Board

---

Date

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**General Use Rezoning Request**  
**Highway Commercial (B-2) to Rural Agricultural-20 (RA-20)**

The Moore County Planning Board finds that:

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Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 13.21 acres (entire portion currently zoned B-2 located to the north of Love Grove Church Road) of an approximate 26.32 acre parcel, located on the corner of Love Grove Church Road and Carthage Road, West End.

---

Joe Garrison, Chair  
Moore County Planning Board

---

Date

## CHAPTER 6

### TABLE OF USES

#### 6.1 Use Table

- A. Permitted Uses. P = Permitted uses are a use-by-right approved by the Administrator.
- B. Conditional Uses. C = Conditional Use Permit approval required. (Refer to Chapter 12.)
- C. Conditional Zoning. Z = Condition Rezoning within a parallel conditional zoning district required. (Refer to Chapter 11.)
- D. Building Code Classification.

The “Bldg. Code Group” column is intended for reference purposes only and is subject to change without notice. Classifications should be verified by the Building Inspector and should follow the regulations of the applicable “Use & Occupancy Classification” per the 2012 NC Building Code. Change of uses will require sealed plans to be approved by the Building Inspector.

A = Assembly	M = Mercantile
B = Business	R = Residential
E = Education	S = Storage
F = Factory Industrial	U = Utility & Miscellaneous
H = Hazardous	Mix = Mixed Uses (Separation standards may apply)
I = Institutional	

- E. Prohibited Uses. Blank = Districts in which particular uses are prohibited, unless the Administrator determines that the use is similar to an allowed individual use by applying the following criteria:
  1. The actual or projected characteristics of the activity.
  2. The relative amount of site area or floor space and equipment utilized.
  3. Relative amounts of sales from the activity and costumer type for the activity.
  4. The relative number of employees and hours of operation.
  5. Building and site arrangement and likely impact on surrounding properties.
  6. Types of vehicles used, parking requirements, and vehicle trips generated.

When uncertainty exists, the Administrator, after consultation with the County Attorney, shall be authorized to make the interpretation.

<b>ACCESSORY USES &amp; ACCESSORY BUILDINGS</b>	<b>RA-20</b>	<b>RA-40</b>	<b>RA-2</b>	<b>RA-5</b>	<b>GCSL</b>	<b>GCWL</b>	<b>RE</b>	<b>RA-USB</b>	<b>RA</b>	<b>P-C</b>	<b>VB</b>	<b>B-1</b>	<b>B-2</b>	<b>I</b>	<b>Specific Use Standards</b>	<b>Bldg. Code Group</b>
Accessory Uses & Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.1	R, S, U

<b>AGRICULTURAL USES</b>	<b>RA-20</b>	<b>RA-40</b>	<b>RA-2</b>	<b>RA-5</b>	<b>GCSL</b>	<b>GCWL</b>	<b>RE</b>	<b>RA-USB</b>	<b>RA</b>	<b>P-C</b>	<b>VB</b>	<b>B-1</b>	<b>B-2</b>	<b>I</b>	<b>Specific Use Standards</b>	<b>Bldg. Code Group</b>
Agricultural Uses and Buildings (Not a Bona Fide Farm)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.2	U
Bona Fide Farm	"Bona Fide Farm" exemption status is obtained through the Moore County Planning Department.														8.3	S, U

RESIDENTIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
SINGLE FAMILY HOUSEHOLD																
Accessory Dwelling Located within Stick Built Dwelling	P	P	P	P			P	P	P						8.4	R
Accessory Dwelling Located within Non-Residential Building											P	P	P		8.5	Mix
Accessory Manufactured Home	P	P	P	P			P	P	P						8.6	R
Accessory Stick Built Dwellings	P	P	P	P			P	P	P						8.7	R
Dwellings, Single Family	P	P	P	P	P	P	P	P	P						8.8	R-3
Dwellings, Duplexes	P	P				P	P								8.9	R-3
Family Care Home (6 or less)	P	P	P	P	P	P	P	P	P						8.10	I, R
Home Occupation, Level 1	P	P	P	P	P	P	P	P	P						8.11	R
Home Occupation, Level 2			Z	Z			Z		Z						8.12	R
Manufactured Home	P	P	P	P			P	P	P						8.13	R-3
Manufactured Home Park									Z						8.14	Mix
Personal Workshop / Storage Building	P	P	P	P			P	P	P						8.15	R, S
Planned Unit Development – Mixed Use	Conditional Rezoning to PUD-CZ is required.														8.16	Mix
MULTIFAMILY RESIDENTIAL																
Group Care Facility									Z			C	P		8.17	I, R
Multifamily Dwellings (3 or more units per lot)	Conditional Rezoning to MF-CZ is required.														8.18	R-2
Nursing Home	C	C	C	C					C			P	P		8.19	B, I



COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
ANIMAL SERVICES																
Animal Shelter									Z					P	8.20	B
Animal Training Facility, Military									Z					P	8.21	B
Kennels, Overnight									Z			Z	Z	P	8.22	B
Pet Day Care, Grooming, Obedience Training									Z		P	P	P		8.23	B
Veterinary Clinic							P		Z		P	P	P		8.24	B
OFFICES & GENERAL SERVICES																
Automatic Teller Machine (ATM)											P	P	P	P	8.25	U
Beauty / Barber Shop / Nail Salon						P					P	P	P		8.26	B
Bed and Breakfast	Z	Z	Z	Z				Z	Z						8.27	
Dry Cleaning and Laundromat						P					P	P	P	P	8.28	B
Equestrian Cottage							Z								8.29	
Hotel and Motel													P		8.30	R-1
Office											P	P	P	P	8.31	B
Small Appliance Repair Shop											P	P	P	P	8.32	B
Trade Contractor Office and Workshop											P	Z	P	P	8.33	B, S
COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
RETAIL SERVICES																
Auction House												P	P	P	8.34	A-3, B
Convenience Store						P			C		P	P	P	P	8.35	M
Feed and Seed Sales							C		C			P	P	P	8.36	B, M
Florist									P		P	P	P	P	8.37	B
Flea Market									Z			Z	P		8.38	B, M
Garden Center											P	P	P		8.39	M, U
Manufactured or Modular Home Sales													P	P	8.40	B
Restaurant						P					P	P	P	P	8.41	A-2
Retail											P	P	P		8.42	M
Shopping Centers													Z	C	8.43	M
Wholesales											C		P	P	8.44	M

COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
VEHICLE SERVICES																
Boat & RV Storage					P						P		Z		8.45	S-1
Car Wash or Auto Detailing											P	P	P	P	8.46	B
Commercial Truck Wash												C	P	P	8.47	B
Parking Lot as principal use of lot											P	P	P	P	8.48	S-2
Taxi Service												Z	P	P	8.49	B, A-3
Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, or Service											P	P	P	P	8.50	B, S-1
Vehicle Service Stations (Gas Stations)											Z	P	P	P	8.51	M
Vehicle Wrecker Service												Z	Z	P	8.52	S-1
ADULT USES																
Adult Gaming Establishments														C	8.53	B
Bars / Tavern											C		P		8.54	A-2
Brewery / Winery									C		P		P	P	8.55	A-2, F
Dance Club, Night Club, Billiard											Z		P		8.56	A-2, A-3
Distillery														P	8.57	F-1
Massage & Bodywork Therapy Practice, Unlicensed													P		8.58	B
Pawn Shop											Z		P	P	8.59	B
Sexually Oriented Business														Z	8.60	A-2, M
Tattoo Parlor, Body Piercing													P		8.61	B

EDUCATIONAL & INSTITUTIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Cemetery or Mausoleum, Commercial			C	C			C		C			P			8.62	n/a
Cemetery, Family	P	P	P	P	P	P	P	P	P						8.63	n/a
Child Care Facility	C	C	C	P		C	C	C	C		C	P	P		8.64	E, I
Child Care Home Facility	C	P	P	P			C	C	P						8.65	E, R
Colleges, Business & Trade Schools									C				P	P	8.66	B
Funeral Home, accessory crematorium											P	P	P	P	8.67	A-3, B
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.68	B
Hospital	P	P	P	P	C	C	P	P	P	P		P	P	P	8.69	I
Museums and Art Galleries									C		P	P	P		8.70	A-3
Religious Institutions	P	P	P	P	P		P	P	P	P	P	P	P		8.71	A-3, E
Security Training Facility									C						8.72	B
Schools, Elementary, Middle, High												P	P		8.73	E

RECREATIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory, Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.74	A, R
Airport, Public or Private									C					Z	8.75	A-3, B
Airstrip, Small Private									C			P			8.76	B
Assembly Hall						Z			Z		Z		Z	P	8.77	A-4, A-5
Camp or Care Centers									P						8.78	A-3, R-1
Campground, Public and Private									P						8.79	A-3, R-1
Camp, Recreation Day									P						8.80	A-3
Civic / Social Club, Lodge, & Organization			P	P	C	C			C		P	P	P		8.81	A-2, A-3
Golf Driving Range					C	C				P			P		8.82	A-3
Golf Course, including Par 3					C	C				P			P		8.83	U
Marina (fuel supplies)					P	P									8.84	M
Neighborhood Park	P	P	P	P	P	P	P	P	P	P	P	P	P		8.85	U
Recreation, Indoor											C	C	P		8.86	A-5
Recreation, Low Impact Outdoor		P P	P	P	P	P	P	P	P		C	P	P		8.87	A-5
Recreation, High Impact Outdoor									Z		Z		P		8.88	
Shooting Range, Indoor									Z				P		8.89	A-5
Shooting Range, Outdoor									Z				P		8.90	A-5
Zoo, Petting Zoo									Z				P		8.91	A-5, U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
PRODUCTION																
Manufacturing, Light (no odors, no smoke)														P	8.92	F
Manufacturing, General														Z	8.93	F-1, F-2
UTILITIES / SERVICES																
Amateur Radio and Receive-only Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.94	U
Contractors Storage Yard and Office									Z				P	P	8.95	S-1, U
Crematorium Facility													Z	P	8.96	B
Public & Private Utility Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.97	U
Solar Collector Facility														C	8.98	U
Solar Collectors, On-Site Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.99	U
Wireless Communication Facility									Z				Z	Z	8.100	U
Collocation on Existing WCF	P	P	P	P			P	P	P	P	P	P	P	P	8.101	U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
WAREHOUSING																
Mini-Warehouse (Self-Service)						P					Z	Z	P	P	8.102	S
Warehousing and/or Distribution Center									Z				C	P	8.103	S-1, S-2
WASTE RELATED SERVICES																
Debris Management Facility									Z			Z		P	8.104	U
Hazardous Waste /Toxic Chemicals Disposal or Processing														C	8.105	U
Landfill														C	8.106	U
Mining / Quarry Operation									Z					C	8.107	U
Salvage Yard														C	8.108	U

TEMPORARY USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.109	S-1
Drop-In Child Care Facility											P	P	P		8.110	
Itinerant Merchant											P	P	P	P	8.111	n/a
Land Clearing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.112	F-1
Manufactured Home or RV, Temporary	P	P	P	P			P	P	P						8.113	R-3
Real Estates Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.114	S-1
Temporary Events (Special Event)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.115	n/a
Yard Sales, Residential and Civic	P	P	P	P	P	P	P	P	P			P	P		8.116	n/a

OTHER USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Major Subdivision – Residential (1)	C	C						C							18.6-18.11	Mix
Major Subdivision – Non-Residential (Business Park)													C	C	18.6-18.11	Mix



For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

March 1, 2019 11:26:49 AM

Book: 5095 Page: 156 - 158 #Pages: 3

Fee: \$26.00 NC Rev Stamp: \$360.00

Instrument # 2019002543

**GENERAL WARRANTY DEED****THIS INSTRUMENT PREPARED BY:**

Michelle Stinnett  
 Lorenz & Creed Law Firm, PLLC  
 230 N. Bennett Street  
 Southern Pines, NC 28387

TO BE RECORDED IN THE  
 DEED RECORDS OF  
 MOORE COUNTY, NC

**Excise Tax: \$ 360.00**THIS DEED made this 27 day of February, 2019, by and between:

<u>GRANTOR</u>	<u>GRANTEE</u>
<b>JOHNSON IMPROVEMENT COMPANY, LLC, a North Carolina Limited Liability Company, successor by merger with JOHNSON IMPROVEMENT COMPANY, a North Carolina General Partnership</b> Mailing Address: 9345 Martin Rd. Roswell, GA 30076	<b>JOHNNY HARRIS AND WIFE, KATHY HARRIS</b>  <b>Mailing Address:</b> 4291 Dowd Road Carthage, NC 28327

**WITNESSETH:**

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, the Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land (referred to in the singular, whether one or more) situated in Mineral Spring Township, Moore County, North Carolina, and more particularly described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR A MORE PARTICULAR DESCRIPTION OF THE PROPERTY HEREIN CONVEYED. SAID EXHIBIT BEING INCORPORATED HEREIN BY REFERENCE AS FULLY AS IF SET FORTH HEREON.**

Submitted electronically by "Clarke, Phifer, Vaughn, Brenner & McNeill, PLLC" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Moore County Register of Deeds.

**This property herein described does not include the primary residence of the Grantor.**

And being a portion of the property conveyed to Grantor in instrument recorded in Book 177, Page 311, in the Moore County, North Carolina, Register of Deeds. The attorney preparing this instrument has not searched the title to the real property hereby conveyed and makes no opinion relative to the status of the title to the real property hereby conveyed.

This conveyance is made subject to (i) the lien of the County of Moore for taxes and other assessments for the current year, which taxes or other assessments shall be pro-rated as of the date of closing and which Grantee by acceptance of this deed expressly agrees to pay; (ii) utility easements of record; and (iii) unviolated restrictive covenants of record that do not materially affect the value of the property.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions noted herein.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

**JOHNSON IMPROVEMENT COMPANY, LLC**  
A North Carolina Limited Liability Company

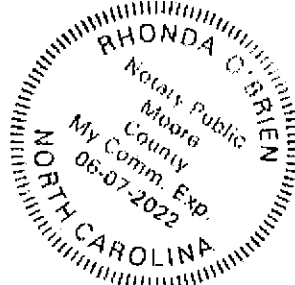
By: [Signature] (SEAL)  
William A. Johnson, III, Member-Manager

STATE OF nc  
COUNTY OF Moore

I certify that the following person(s) personally appeared before me this day and ☒ I have personal knowledge of the identity of the principal(s); ☐ I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a driver's license; ☐ a credible witness has sworn to the identity of the principal(s); the principal(s) acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name of Principal(s): William A. Johnson, III, Member-Manager **JOHNSON IMPROVEMENT COMPANY, LLC.**

Date: 2/27/19



[Signature]  
Notary Public

Rhonda O'Brien  
Printed or typed name of Notary Public

My commission expires: 6/7/22

[SEAL]

**NOTARY PUBLIC:** Please place an (X) in the space that describes the method of identifying the principal and (--) in the spaces that do not apply.

**EXHIBIT "A"**

Lying and being in Mineral Springs Township, Moore County, NC and being Tract 2, containing 26.32 acres more or less, the identical tract or parcel of land shown, indicated and designated on that certain plat or map recorded in Plat Cabinet 5, Slide 130, Moore County Registry, Carthage, NC, and to which reference is hereby made.

**MEMORANDUM TO THE PLANNING BOARD**

**FROM:** Debra Ensminger  
Planning & Transportation Director

**DATE:** April 20, 2020

**SUBJECT:** General Use Rezoning Request:  
Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) –  
Armstead Road / US Hwy 1

**PRESENTER:** Dervin Spell

**REQUEST**

Robert Hayter is requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of approximately 4.82 acres of an approximate 8.62 acre parcel (the entire parcel being rezoned to RA-40), located on US Hwy 1 and adjacent to Armstead Road, Vass, owned by Robert and Jacqueline Hayter, per Deed Book 2837 Page 80.

Public notification consisted of notification by mail to adjacent property owners and placing public hearing signs on the property.

**BACKGROUND**

The property is currently developed. There is an existing single family dwelling located on the property. Adjacent properties include single family dwellings, undeveloped property, and a self service mini-warehouse business.

**ZONING DISTRICT COMPATIBILITY**

The surrounding area is zoned a mixture of Highway Commercial (B-2), Residential and Agricultural-40 (RA-40), and Rural Equestrian (RE). Vass' zoning jurisdiction is located across US Hwy 1 including the following zoning district: Highway Commercial (HC).

**CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN**

The future land use map identifies the property as High Density Residential with Mixed Use Land Use Classification. The requested zoning to Residential and Agricultural-40 (RA-40) is compatible with the High Density Residential with Mixed Use Land Use Classification.

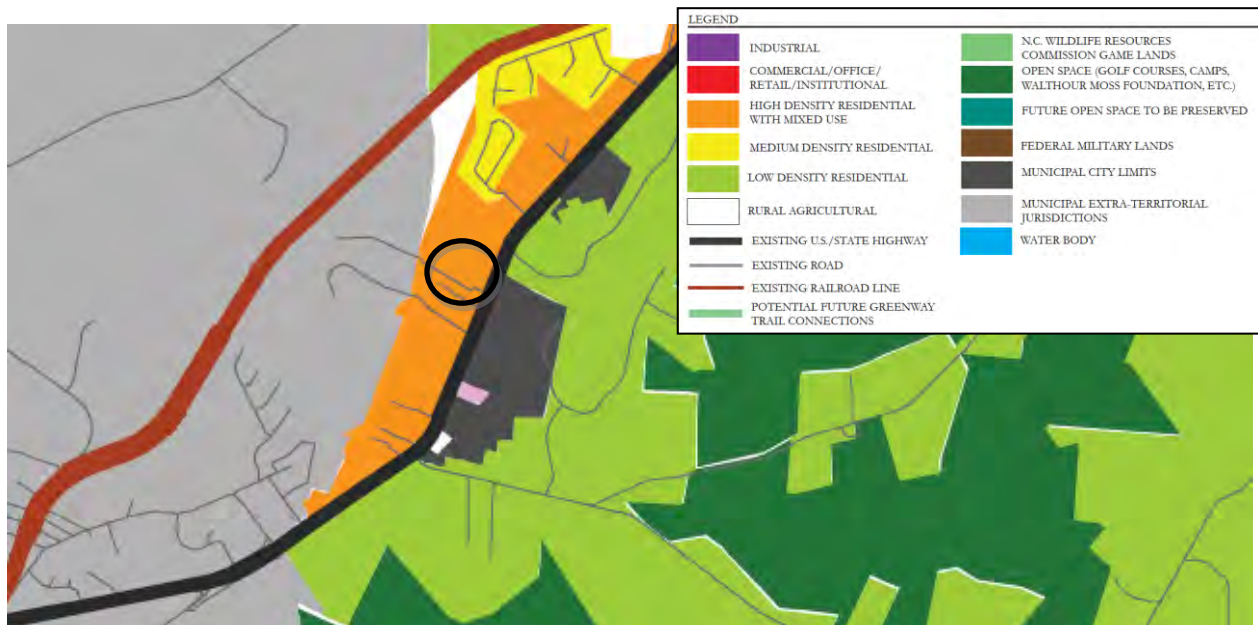
The Land Use Plan states the primary use of the High Density Residential With Mixed Use is a density of four (4) to eight (8) dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This category shall also include certain non-residential neighborhood supportive uses such as retail, commercial, office, schools, daycares, churches and others similar uses compatible with residential. Public infrastructure and facilities such as roads, water, sewer, schools, fire/rescue, open space; and must be adequate to



accommodate the development. The public service providers in the proximity of these areas shown on the Future Land Use Map shall consider extending, upgrading and/or preserving infrastructure in these locations.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas and Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

### **MOORE COUNTY FUTURE LAND USE MAP**



### **MOORE COUNTY COMPARISON LAND USE MAP**



## **RECOMMENDATION**

Staff recommends the Moore County Planning Board make two separate motions:

**Motion #1:** Make a motion to adopt the attached **Approval** or **Denial** Land Use Plan Consistency Statement to authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

**Motion #2:** Make a motion to recommend **Approval** or **Denial** to the Moore County Board of Commissioners of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of approximately 4.82 acres of an approximate 8.62 acre parcel (the entire parcel being rezoned to RA-40), located on US Hwy 1 and adjacent to Armstead Road, Vass.

## **ATTACHMENTS**

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Land Use Map
- Rezoning Map
- Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- UDO – Chapter 6. Table of Uses
- Deed Book 2837 Page 80

**View of Armstead Road from US Hwy 1**



**View of property from US Hwy 1**



*Armstead Road / US Hwy 1 – General Use Rezoning – Staff Report*





**View of property across from US Hwy 1**



*Armstead Road / US Hwy 1 – General Use Rezoning – Staff Report*



**Northbound view of US Hwy 1 from subject property**



**Southbound view of US Hwy 1 from subject property**

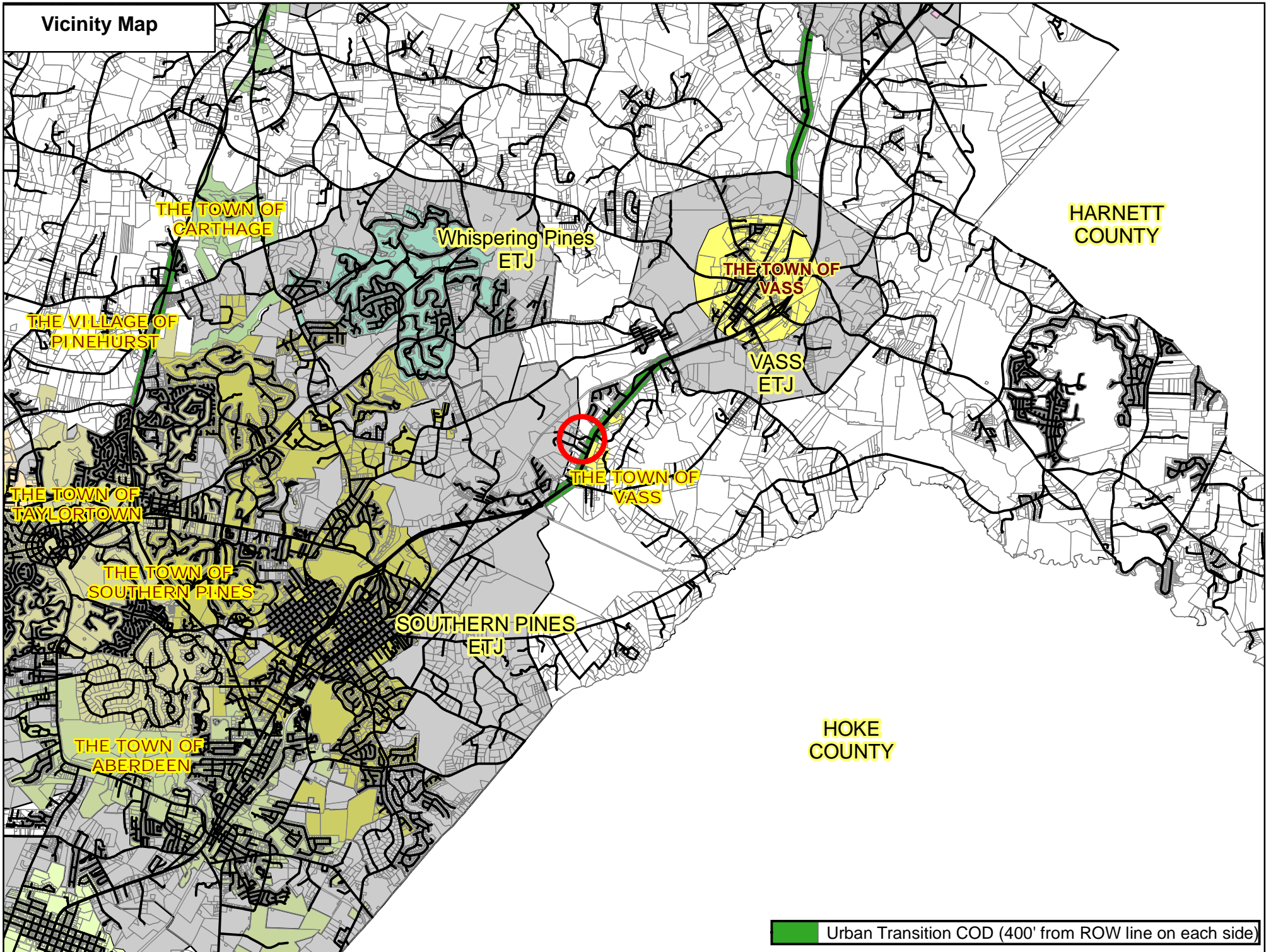


**View of adjacent property - 5416 US Hwy 1**





Vicinity Map



HOKE  
COUNTY

HARNETT  
COUNTY

Urban Transition COD (400' from ROW line on each side)



# Land Use Map





# Zoning Map

SOUTHERN PINES  
ETJ

RR

ARMSTEAD

RA-40

TRUDEAU

PINE LAKE

B-2

US 1

RA-20

SAVANNAH

US 1

HC

RA

RE

HORSE PEN

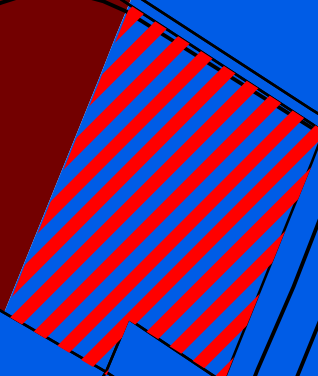
VASS  
TOWN LIMITS

HC

RA

PELHAM

Shaded area requested  
to be rezoned to RA-40



County of Moore  
Planning and Transportation

App# 29033



Inspections/Permitting: (910) 947-2221  
Planning: (910) 947-5010  
Transportation: (910) 947-3389  
Fax: (910) 947-1303

GENERAL USE REZONING APPLICATION

Application Date: <u>MARCH 9, 2020</u>			
Location/Address of Property: <u>PIN 00039437; US# 1; 165 ARMSTRONG RD</u>			
Applicant: <u>ROBERT S. HAYTER</u>		Phone: <u>910 639 4307</u>	
Applicant Address: <u>PO BOX 499</u>	City: <u>INDEPENDENCE</u>	St: <u>VA</u>	Zip: <u>28348</u>
Owner: <u>ROBERT &amp; JACKIE HAYTER</u>		Phone: <u>910 639 4307</u>	
Owner Address: <u>Box 499</u>	City: <u>INDEPENDENCE</u>	St: <u>VA</u>	Zip: <u>28348</u>
Current Zoning District: <u>RA40 &amp; B2</u>		Proposed Zoning District: <u>RA40</u>	
Comments: <u>DOWN ZONE THE HIGHWAY COMMERCIAL B-2 PORTION OF THE PARCEL</u> <u>TO RA-40.</u>			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
<u>Robert S. Hayter</u>		Date	
Applicant/Owner Signature			
<u>Jackie S. Hayter</u>		Date	
Applicant/Owner Signature			
Office Use Only:			
PAR ID: <u>00039437</u>			
<u>Russell Chapman</u>		<u>3/23/2020</u>	
Received By		Date	

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**General Use Rezoning Request**  
**Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40)**

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The rezoning request is reasonable and in the public interest considering the property is located adjacent to an existing major highway, other developed residential properties, has access to public water, and is in close proximity to the Southern Pines and Vass communities providing practicality, easy access, and reduced travel times.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning from from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of approximately 4.82 acres of an approximate 8.62 acre parcel (the entire parcel being rezoned to RA-40), located on US Hwy 1 and adjacent to Armstead Road, Vass, owned by Robert and Jacqueline Hayter, per Deed Book 2837 Page 80.

---

Joe Garrison, Chair  
Moore County Planning Board

---

Date



**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**General Use Rezoning Request**  
**Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40)**

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning is not consistent with the highway business corridor.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of approximately 4.82 acres of an approximate 8.62 acre parcel (the entire parcel being rezoned to RA-40), located on US Hwy 1 and adjacent to Armstead Road, Vass, owned by Robert and Jacqueline Hayter, per Deed Book 2837 Page 80.

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Joe Garrison, Chair  
Moore County Planning Board

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Date

## CHAPTER 6

### TABLE OF USES

#### 6.1 Use Table

- A. Permitted Uses. P = Permitted uses are a use-by-right approved by the Administrator.
- B. Conditional Uses. C = Conditional Use Permit approval required. (Refer to Chapter 12.)
- C. Conditional Zoning. Z = Condition Rezoning within a parallel conditional zoning district required. (Refer to Chapter 11.)
- D. Building Code Classification.

The “Bldg. Code Group” column is intended for reference purposes only and is subject to change without notice. Classifications should be verified by the Building Inspector and should follow the regulations of the applicable “Use & Occupancy Classification” per the 2012 NC Building Code. Change of uses will require sealed plans to be approved by the Building Inspector.

A = Assembly	M = Mercantile
B = Business	R = Residential
E = Education	S = Storage
F = Factory Industrial	U = Utility & Miscellaneous
H = Hazardous	Mix = Mixed Uses (Separation standards may apply)
I = Institutional	

- E. Prohibited Uses. Blank = Districts in which particular uses are prohibited, unless the Administrator determines that the use is similar to an allowed individual use by applying the following criteria:
  - 1. The actual or projected characteristics of the activity.
  - 2. The relative amount of site area or floor space and equipment utilized.
  - 3. Relative amounts of sales from the activity and costumer type for the activity.
  - 4. The relative number of employees and hours of operation.
  - 5. Building and site arrangement and likely impact on surrounding properties.
  - 6. Types of vehicles used, parking requirements, and vehicle trips generated.

When uncertainty exists, the Administrator, after consultation with the County Attorney, shall be authorized to make the interpretation.

<b>ACCESSORY USES &amp; ACCESSORY BUILDINGS</b>	<b>RA-20</b>	<b>RA-40</b>	<b>RA-2</b>	<b>RA-5</b>	<b>GCSL</b>	<b>GCWL</b>	<b>RE</b>	<b>RA-USB</b>	<b>RA</b>	<b>P-C</b>	<b>VB</b>	<b>B-1</b>	<b>B-2</b>	<b>I</b>	<b>Specific Use Standards</b>	<b>Bldg. Code Group</b>
Accessory Uses & Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.1	R, S, U

<b>AGRICULTURAL USES</b>	<b>RA-20</b>	<b>RA-40</b>	<b>RA-2</b>	<b>RA-5</b>	<b>GCSL</b>	<b>GCWL</b>	<b>RE</b>	<b>RA-USB</b>	<b>RA</b>	<b>P-C</b>	<b>VB</b>	<b>B-1</b>	<b>B-2</b>	<b>I</b>	<b>Specific Use Standards</b>	<b>Bldg. Code Group</b>
Agricultural Uses and Buildings (Not a Bona Fide Farm)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.2	U
Bona Fide Farm	"Bona Fide Farm" exemption status is obtained through the Moore County Planning Department.														8.3	S, U

RESIDENTIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
SINGLE FAMILY HOUSEHOLD																
Accessory Dwelling Located within Stick Built Dwelling	P	P	P	P			P	P	P						8.4	R
Accessory Dwelling Located within Non-Residential Building											P	P	P		8.5	Mix
Accessory Manufactured Home	P	P	P	P			P	P	P						8.6	R
Accessory Stick Built Dwellings	P	P	P	P			P	P	P						8.7	R
Dwellings, Single Family	P	P	P	P	P	P	P	P	P						8.8	R-3
Dwellings, Duplexes	P	P				P	P								8.9	R-3
Family Care Home (6 or less)	P	P	P	P	P	P	P	P	P						8.10	I, R
Home Occupation, Level 1	P	P	P	P	P	P	P	P	P						8.11	R
Home Occupation, Level 2			Z	Z			Z		Z						8.12	R
Manufactured Home	P	P	P	P			P	P	P						8.13	R-3
Manufactured Home Park									Z						8.14	Mix
Personal Workshop / Storage Building	P	P	P	P			P	P	P						8.15	R, S
Planned Unit Development – Mixed Use	Conditional Rezoning to PUD-CZ is required.														8.16	Mix
MULTIFAMILY RESIDENTIAL																
Group Care Facility									Z			C	P		8.17	I, R
Multifamily Dwellings (3 or more units per lot)	Conditional Rezoning to MF-CZ is required.														8.18	R-2
Nursing Home	C	C	C	C					C			P	P		8.19	B, I



COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
ANIMAL SERVICES																
Animal Shelter									Z					P	8.20	B
Animal Training Facility, Military									Z					P	8.21	B
Kennels, Overnight									Z			Z	Z	P	8.22	B
Pet Day Care, Grooming, Obedience Training									Z		P	P	P		8.23	B
Veterinary Clinic							P		Z		P	P	P		8.24	B
OFFICES & GENERAL SERVICES																
Automatic Teller Machine (ATM)											P	P	P	P	8.25	U
Beauty / Barber Shop / Nail Salon						P					P	P	P		8.26	B
Bed and Breakfast	Z	Z	Z	Z				Z	Z						8.27	
Dry Cleaning and Laundromat						P					P	P	P	P	8.28	B
Equestrian Cottage							Z								8.29	
Hotel and Motel													P		8.30	R-1
Office											P	P	P	P	8.31	B
Small Appliance Repair Shop											P	P	P	P	8.32	B
Trade Contractor Office and Workshop											P	Z	P	P	8.33	B, S
COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
RETAIL SERVICES																
Auction House												P	P	P	8.34	A-3, B
Convenience Store						P			C		P	P	P	P	8.35	M
Feed and Seed Sales							C		C			P	P	P	8.36	B, M
Florist									P		P	P	P	P	8.37	B
Flea Market									Z			Z	P		8.38	B, M
Garden Center											P	P	P		8.39	M, U
Manufactured or Modular Home Sales													P	P	8.40	B
Restaurant						P					P	P	P	P	8.41	A-2
Retail											P	P	P		8.42	M
Shopping Centers													Z	C	8.43	M
Wholesales											C		P	P	8.44	M

COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
VEHICLE SERVICES																
Boat & RV Storage					P						P		Z		8.45	S-1
Car Wash or Auto Detailing											P	P	P	P	8.46	B
Commercial Truck Wash												C	P	P	8.47	B
Parking Lot as principal use of lot											P	P	P	P	8.48	S-2
Taxi Service												Z	P	P	8.49	B, A-3
Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, or Service											P	P	P	P	8.50	B, S-1
Vehicle Service Stations (Gas Stations)											Z	P	P	P	8.51	M
Vehicle Wrecker Service												Z	Z	P	8.52	S-1
ADULT USES																
Adult Gaming Establishments														C	8.53	B
Bars / Tavern											C		P		8.54	A-2
Brewery / Winery									C		P		P	P	8.55	A-2, F
Dance Club, Night Club, Billiard											Z		P		8.56	A-2, A-3
Distillery														P	8.57	F-1
Massage & Bodywork Therapy Practice, Unlicensed													P		8.58	B
Pawn Shop											Z		P	P	8.59	B
Sexually Oriented Business														Z	8.60	A-2, M
Tattoo Parlor, Body Piercing													P		8.61	B

EDUCATIONAL & INSTITUTIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Cemetery or Mausoleum, Commercial			C	C			C		C			P			8.62	n/a
Cemetery, Family	P	P	P	P	P	P	P	P	P						8.63	n/a
Child Care Facility	C	C	C	P		C	C	C	C		C	P	P		8.64	E, I
Child Care Home Facility	C	P	P	P			C	C	P						8.65	E, R
Colleges, Business & Trade Schools									C				P	P	8.66	B
Funeral Home, accessory crematorium											P	P	P	P	8.67	A-3, B
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.68	B
Hospital	P	P	P	P	C	C	P	P	P	P		P	P	P	8.69	I
Museums and Art Galleries									C		P	P	P		8.70	A-3
Religious Institutions	P	P	P	P	P		P	P	P	P	P	P	P		8.71	A-3, E
Security Training Facility									C						8.72	B
Schools, Elementary, Middle, High												P	P		8.73	E

RECREATIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory, Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.74	A, R
Airport, Public or Private									C					Z	8.75	A-3, B
Airstrip, Small Private									C			P			8.76	B
Assembly Hall						Z			Z		Z		Z	P	8.77	A-4, A-5
Camp or Care Centers									P						8.78	A-3, R-1
Campground, Public and Private									P						8.79	A-3, R-1
Camp, Recreation Day									P						8.80	A-3
Civic / Social Club, Lodge, & Organization			P	P	C	C			C		P	P	P		8.81	A-2, A-3
Golf Driving Range					C	C				P			P		8.82	A-3
Golf Course, including Par 3					C	C				P			P		8.83	U
Marina (fuel supplies)					P	P									8.84	M
Neighborhood Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.85	U
Recreation, Indoor											C	C	P		8.86	A-5
Recreation, Low Impact Outdoor		P P	P	P	P	P	P	P	P		C	P	P		8.87	A-5
Recreation, High Impact Outdoor									Z		Z		P		8.88	
Shooting Range, Indoor									Z				P		8.89	A-5
Shooting Range, Outdoor									Z				P		8.90	A-5
Zoo, Petting Zoo									Z				P		8.91	A-5, U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
PRODUCTION																
Manufacturing, Light (no odors, no smoke)														P	8.92	F
Manufacturing, General														Z	8.93	F-1, F-2
UTILITIES / SERVICES																
Amateur Radio and Receive-only Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.94	U
Contractors Storage Yard and Office									Z				P	P	8.95	S-1, U
Crematorium Facility													Z	P	8.96	B
Public & Private Utility Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.97	U
Solar Collector Facility														C	8.98	U
Solar Collectors, On-Site Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.99	U
Wireless Communication Facility									Z				Z	Z	8.100	U
Collocation on Existing WCF	P	P	P	P			P	P	P	P	P	P	P	P	8.101	U



INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
WAREHOUSING																
Mini-Warehouse (Self-Service)						P					Z	Z	P	P	8.102	S
Warehousing and/or Distribution Center									Z				C	P	8.103	S-1, S-2
WASTE RELATED SERVICES																
Debris Management Facility									Z			Z		P	8.104	U
Hazardous Waste /Toxic Chemicals Disposal or Processing														C	8.105	U
Landfill														C	8.106	U
Mining / Quarry Operation									Z					C	8.107	U
Salvage Yard														C	8.108	U

TEMPORARY USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.109	S-1
Drop-In Child Care Facility											P	P	P		8.110	
Itinerant Merchant											P	P	P	P	8.111	n/a
Land Clearing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.112	F-1
Manufactured Home or RV, Temporary	P	P	P	P			P	P	P						8.113	R-3
Real Estates Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.114	S-1
Temporary Events (Special Event)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.115	n/a
Yard Sales, Residential and Civic	P	P	P	P	P	P	P	P	P			P	P		8.116	n/a

OTHER USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Major Subdivision – Residential (1)	C	C						C							18.6-18.11	Mix
Major Subdivision – Non-Residential (Business Park)													C	C	18.6-18.11	Mix

Hayes

FOR REGISTRATION REGISTER OF DEEDS  
JUDY D. MARTIN  
MOORE COUNTY, NC  
2005 JUL 01 04:24:23 PM  
BK:2837 PG:80-82 FEE:\$343.00  
NC REVENUE STAMP:\$326.00  
INSTRUMENT # 2005012939

**GARNER & HAYES, PLLC**

**Drafted by L. Pendleton Hayes**

160 Fox Hollow Road, Suite 202

Pinehurst, NC 28374

Mail: PO Box 1795, Southern Pines, NC, 28388

**STATE OF NORTH CAROLINA**

**COUNTY OF MOORE**

**WARRANTY DEED**

THIS DEED, made this 21st day of June, 2005, by and between **Royal A. Stutts, Jr. and wife, Joyce B. Stutts, Grantor**, and **Robert S. Hayter and wife, Jacqueline Hayter, Grantee**;

*PO Box 1503*

**WITNESSETH:** *Southern Pines, NC 28388*

That said Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, tract, or parcel of land situated in McNeill Township, Moore County, North Carolina, and more particularly described as follows:

BEING approximately 8.62 acres of the property of Roy Stutts, Jr, a portion of the property described as "Roy Stutts Jr. Book 266 Page 332" further described:

BEING the property shown as Roy Stutts Jr., Book 266, Page 332, on a plat recorded in the Office of the Register of Deeds for Moore County, NC, in Plat Cabinet 2, Slide 11, LESS AND EXCEPTING THE FOLLOWING PARCELS:

Tract 1. The 1.03 acre parcel deeded to Grantee in Book 539, Page 46, Moore County Registry.

Tract 2. The 2.37 acre parcel deeded to Grantee in Book 520, Page 265, Moore County Registry.

This conveyance is made subject to: (i) ad valorem taxes for the current year, which taxes shall be prorated at closing; (ii) utility easements of record; and (iii) restrictions enforceable against the property.

TO HAVE AND TO HOLD the aforesaid lot, tract or parcel of land, and all privileges and appurtenances thereto belonging to the said Grantee in fee simple; subject, however, to the exceptions, reservations and conditions hereinabove referred to.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons, subject however, to the exceptions, reservations and conditions hereinabove referred to.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

Royal A. Stutts Jr. (Seal)  
Royal A. Stutts, Jr.

Joyce B. Stutts (Seal)  
Joyce B. Stutts

\*\*\*\*\*

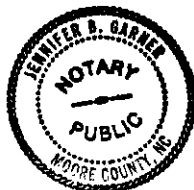
STATE OF NORTH CAROLINA

COUNTY OF MOORE

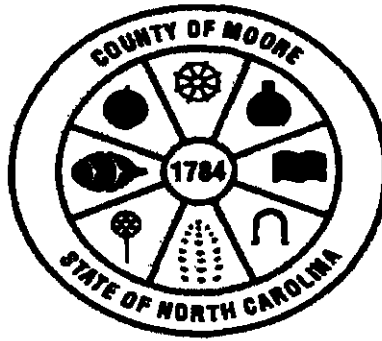
I, Jennifer B. Garner, a Notary Public for the County and State aforesaid, do hereby certify that Royal A. Stutts, Jr. and wife, Joyce B. Stutts, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my official stamp or seal, this 21<sup>st</sup> day of June, 2005.

My Commission Expires:  
10-18-09



Jennifer B. Garner  
Notary Public  
(SEAL)



JUDY D. MARTIN  
REGISTER OF DEEDS, MOORE  
JUDICIAL BUILDING  
100 DOWD STREET  
CARTHAGE, NC 28327

\*\*\*\*\*  
Filed For Registration: 07/01/2005 04:24:23 PM  
Book: RE 2837 Page: 80-82  
Document No.: 2005012939  
DEED 3 PGS \$343.00  
NC REAL ESTATE EXCISE TAX: \$326.00  
Recorder: REGINA GARNER

\*\*\*\*\*  
State of North Carolina, County of Moore

The foregoing certificate of JENNIFER B GARNER Notary is certified to be correct. This 1 ST of July 2005

JUDY D. MARTIN , REGISTER OF DEEDS

By: Linda W. Clerk  
Deputy/Assistant Register of Deeds

\*\*\*\*\*  
**\*2005012939\***  
2005012939



**MEMORANDUM TO THE PLANNING BOARD**

**FROM:** Debra Ensminger  
Planning & Transportation Director

**DATE:** April 20, 2020

**SUBJECT:** General Use Rezoning Request: Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2) – Juniper Lake Road

**PRESENTER:** Theresa Thompson

**REQUEST**

Audio & Electronic Concepts, Inc. c/o Van Keller is requesting a General Use Rezoning from Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2) of an approximate 5.54 acre parcel, located on the corner of Juniper Lake Road and Murdocksville Road, owned by Audio & Electronic Concepts, Inc., per Deed Book 1659 Page 23.

Public notification consisted of notification by mail to adjacent property owners and placing public hearing signs on the property.

**BACKGROUND**

There are four unoccupied buildings (a single family dwelling unit, two storage buildings, and a convenience store which is now closed). Adjacent properties include single family dwellings, the Veterans Motorcycle Club, and the “Juniper Lake Place” which comprises of several businesses.

**ZONING DISTRICT COMPATIBILITY**

The surrounding area is zoned a mixture of Residential and Agricultural-20 (RA-20), Residential and Agricultural-40 (RA-40), and Highway Commercial (B-2).

**CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN**

The site has a Medium Density Residential Land Use Classification. The requested zoning to Highway Commercial (B-2) is not compatible with the Medium Density Residential Land Use Classification.

The Medium Density Residential Land Use Classification is a density of 2 (two) to 4 (four) dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This may also include certain non-residential neighborhood supportive uses such as schools, daycares, churches and others. Density would require engineered sewerage disposal systems. Public infrastructure and facilities such as roads, water, sewer, schools, fire/rescue, open space, and must be adequate to accommodate the development. The public service providers in the proximity of these areas shown on the Future

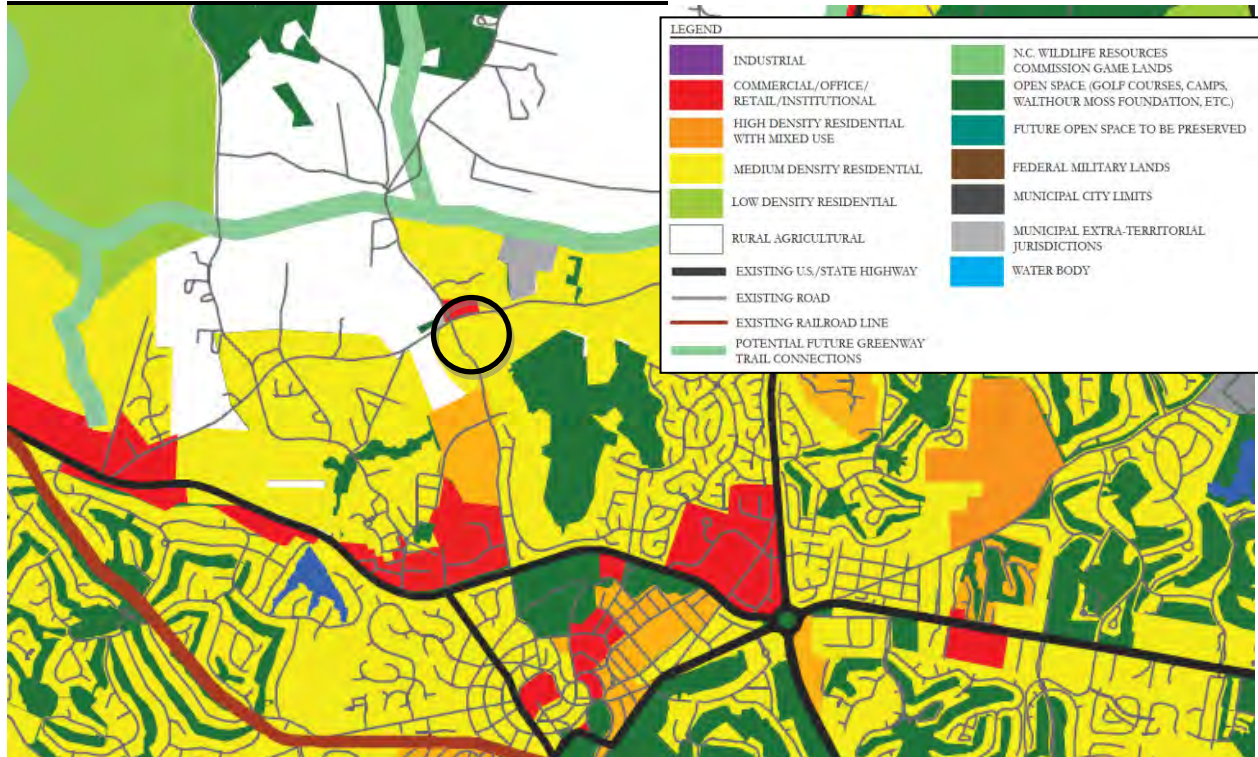
Land Use Map shall consider extending, upgrading and/or preserving infrastructure in these locations.

The Commercial/Office/Retail/Institutional Land Use Classification's primary use is intended for shopping/retail uses, dining, entertainment, services, general office space, medical offices, banks, schools, daycares, places of worship, libraries, etc. The Moore County Unified Development Ordinance states the Highway Commercial (B-2) district provides for the development of commercial and service centers that serve community, countywide, or regional commercial needs, are accessible by residents from surrounding neighborhoods, and are of such nature so as to minimize conflicts with surrounding residential areas.

Although this site is located within the Medium Density Residential Land Use Classification, the site is located adjacent to the Commercial/Office/Retail/Institutional Land Use Classification, as indicated by the red color on the map below, and is located adjacent to other non-residential uses.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas, and Recommendation 1.7: Support and promote local businesses. Therefore, if approved, staff recommends updating the Land Use Map to reclassify this site to the Commercial/Office/Retail/Institutional Land Use Classification.

#### **MOORE COUNTY FUTURE LAND USE MAP**



## **RECOMMENDATION**

Staff recommends the Moore County Planning Board make two separate motions:

**Motion #1:** Make a motion to adopt the attached **Approval** or **Denial** Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. As specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan.

**Motion #2:** Make a motion to recommend **Approval** or **Denial** to the Moore County Board of Commissioners of the General Use Rezoning from Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2) of an approximate 5.54 acre parcel, located on the corner of Juniper Lake Road and Murdocksville Road.

## **ATTACHMENTS**

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Aerial Map
- Land Use Map
- Rezoning Map
- Rezoning Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- UDO – Chapter 6. Table of Uses
- Deed Book 1659 Page 23

**View of subject property**





**Adjacent property – 3625 Murdocksville Road**



**Adjacent property – 3664 Murdocksville Road**





**Adjacent property – 3674 Murdocksville Road**



**Adjacent property – 3621 Murdocksville Road**





**Adjacent property – 990 Juniper Lake Road**



**View of Caroussel Street**

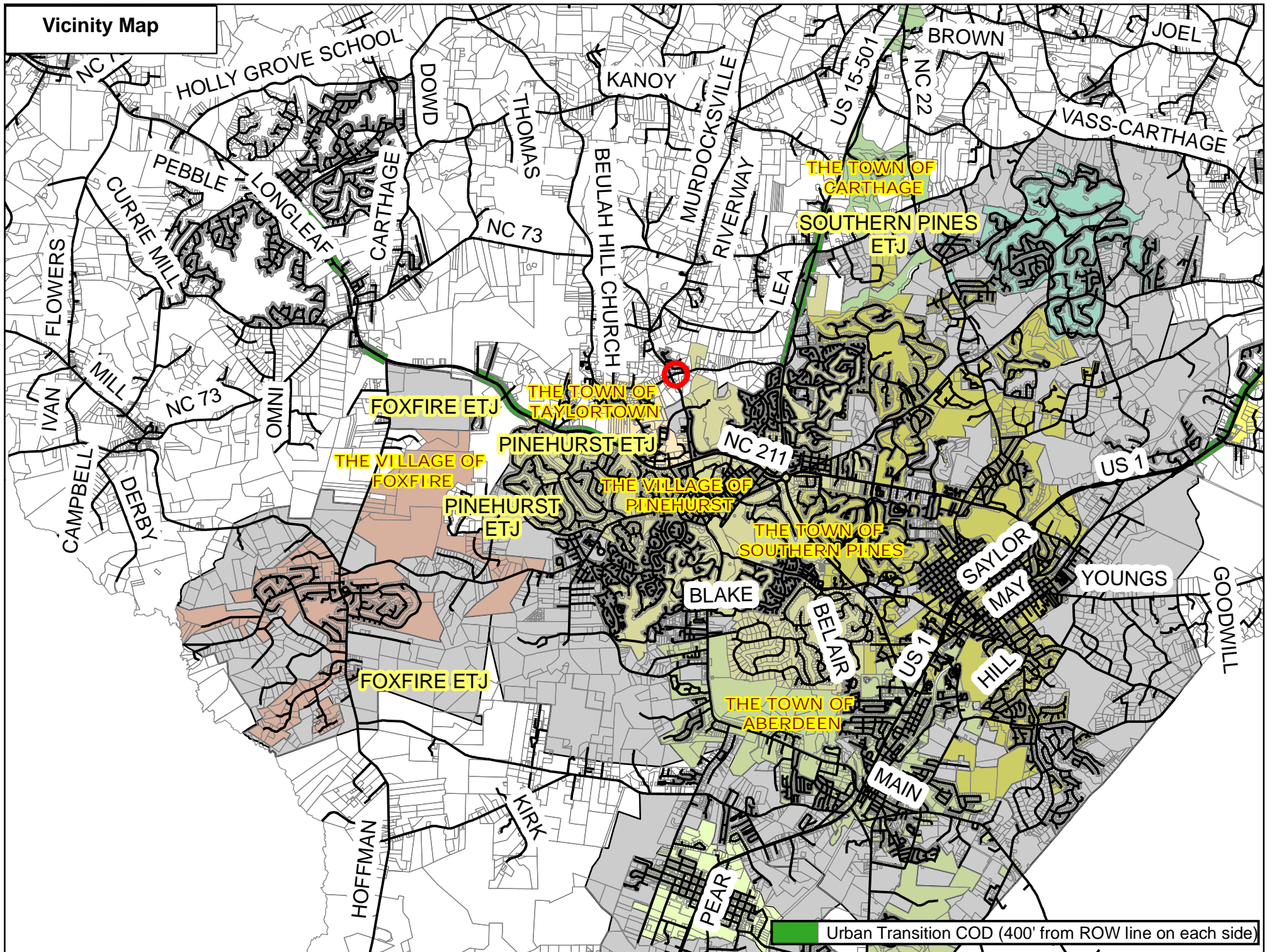


**Adjacent property – 975 Juniper Lake Road**





Vicinity Map





# Land Use Map

Single Family Dwelling

Warehouses

Office Building

Warehouses

Juniper Lake Place

Single Family Dwellings

Manufactured Home

Single Family Dwelling

Single Family Dwellings

Veterans Club

Single Family Dwelling

Single Family Dwelling

Single Family Dwelling





# Zoning Map

RA-20

B-2

RA-40

CAROUSEL

RA-40

RA-20

Shaded areas requested  
to be rezoned to B-2

RA-20

RA-20

JUNIPER LAKE

THE TOWN OF  
TAYLORTOWN

MURDOCKSVILLE

RA-20

R-20

RA-20

RA-40

RA-20



App# 29340

# County of Moore Planning and Transportation



Inspections/Permitting: (910) 947-2221  
Planning: (910) 947-5010  
Transportation: (910) 947-3389  
Fax: (910) 947-1303

## GENERAL USE REZONING APPLICATION

Application Date: <u>APRIL 10, 2020</u>			
Location/Address of Property: <u>Juniper Lake &amp; Murdocksville Roads, West End (PID 00030372)</u>			
Applicant: <u>AUDIO &amp; ELECTRONIC CONCEPTS, INC / VANCE KELLER</u>		Phone: <u>315-3113</u>	
Applicant Address: <u>PO Box 3275</u>	City: <u>PINEHURST</u>	St: <u>NC</u>	Zip: <u>28374</u>
Owner: <u>AUDIO &amp; ELECTRONIC CONCEPTS, INC / VANCE KELLER</u>		Phone: <u>315-3113</u>	
Owner Address: <u>Box 1063 SEVEN LAKES NORTH</u>	City: <u>WEST END</u>	St: <u>NC</u>	Zip: <u>27374</u>
Current Zoning District: <u>RA - 20</u>		Proposed Zoning District: <u>B-2</u>	
Comments:     			
<p>I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.</p> <p><u>Vance Keller</u> <u>4/10/20</u> Applicant/Owner Signature Date</p> <p>_____ Applicant/Owner Signature Date</p>			
Office Use Only:			
PAR ID: <u>00030372</u>			
<u>Cheram Ransom</u>		<u>4/20/2020</u>	
Received By		Date	



**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**General Use Rezoning Request**  
**Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2)**

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.7: Support and promote local businesses
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. Approval of the rezoning request is also deemed an amendment to the Land Use Plan Future Land Use Map by reclassifying the site to the Commercial/Office/Retail/Institutional Land Use Classification.

3. Contributing factors in the rezoning approval is in response to managing the demand of new businesses needed to accommodate residential growth, largely resulting from the influx of families spurred by Fort Bragg's growth from the Base Realignment and Closure.

4. The rezoning request is reasonable and in the public interest considering the property is located adjacent to the Pinehurst and Taylortown communities.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning from Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2) of an approximate 5.54 acre parcel, located on the corner of Juniper Lake Road and Murdocksville Road.

---

Joe Garrison, Chair  
Moore County Planning Board

---

Date

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**General Use Rezoning Request**  
**Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2)**

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.7 Support and promote local businesses
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2) of an approximate 5.54 acre parcel, located on the corner of Juniper Lake Road and Murdocksville Road.

---

Joe Garrison, Chair  
Moore County Planning Board

---

Date



## CHAPTER 6

### TABLE OF USES

#### 6.1 Use Table

- A. Permitted Uses. P = Permitted uses are a use-by-right approved by the Administrator.
- B. Conditional Uses. C = Conditional Use Permit approval required. (Refer to Chapter 12.)
- C. Conditional Zoning. Z = Condition Rezoning within a parallel conditional zoning district required. (Refer to Chapter 11.)
- D. Building Code Classification.

The “Bldg. Code Group” column is intended for reference purposes only and is subject to change without notice. Classifications should be verified by the Building Inspector and should follow the regulations of the applicable “Use & Occupancy Classification” per the 2012 NC Building Code. Change of uses will require sealed plans to be approved by the Building Inspector.

A = Assembly	M = Mercantile
B = Business	R = Residential
E = Education	S = Storage
F = Factory Industrial	U = Utility & Miscellaneous
H = Hazardous	Mix = Mixed Uses (Separation standards may apply)
I = Institutional	

- E. Prohibited Uses. Blank = Districts in which particular uses are prohibited, unless the Administrator determines that the use is similar to an allowed individual use by applying the following criteria:
  1. The actual or projected characteristics of the activity.
  2. The relative amount of site area or floor space and equipment utilized.
  3. Relative amounts of sales from the activity and customer type for the activity.
  4. The relative number of employees and hours of operation.
  5. Building and site arrangement and likely impact on surrounding properties.
  6. Types of vehicles used, parking requirements, and vehicle trips generated.

When uncertainty exists, the Administrator, after consultation with the County Attorney, shall be authorized to make the interpretation.

<b>ACCESSORY USES &amp; ACCESSORY BUILDINGS</b>	<b>RA-20</b>	<b>RA-40</b>	<b>RA-2</b>	<b>RA-5</b>	<b>GCSL</b>	<b>GCWL</b>	<b>RE</b>	<b>RA-USB</b>	<b>RA</b>	<b>P-C</b>	<b>VB</b>	<b>B-1</b>	<b>B-2</b>	<b>I</b>	<b>Specific Use Standards</b>	<b>Bldg. Code Group</b>
Accessory Uses & Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.1	R, S, U

<b>AGRICULTURAL USES</b>	<b>RA-20</b>	<b>RA-40</b>	<b>RA-2</b>	<b>RA-5</b>	<b>GCSL</b>	<b>GCWL</b>	<b>RE</b>	<b>RA-USB</b>	<b>RA</b>	<b>P-C</b>	<b>VB</b>	<b>B-1</b>	<b>B-2</b>	<b>I</b>	<b>Specific Use Standards</b>	<b>Bldg. Code Group</b>
Agricultural Uses and Buildings (Not a Bona Fide Farm)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.2	U
Bona Fide Farm	"Bona Fide Farm" exemption status is obtained through the Moore County Planning Department.														8.3	S, U

RESIDENTIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
SINGLE FAMILY HOUSEHOLD																
Accessory Dwelling Located within Stick Built Dwelling	P	P	P	P			P	P	P						8.4	R
Accessory Dwelling Located within Non-Residential Building											P	P	P		8.5	Mix
Accessory Manufactured Home	P	P	P	P			P	P	P						8.6	R
Accessory Stick Built Dwellings	P	P	P	P			P	P	P						8.7	R
Dwellings, Single Family	P	P	P	P	P	P	P	P	P						8.8	R-3
Dwellings, Duplexes	P	P				P	P								8.9	R-3
Family Care Home (6 or less)	P	P	P	P	P	P	P	P	P						8.10	I, R
Home Occupation, Level 1	P	P	P	P	P	P	P	P	P						8.11	R
Home Occupation, Level 2			Z	Z			Z		Z						8.12	R
Manufactured Home	P	P	P	P			P	P	P						8.13	R-3
Manufactured Home Park									Z						8.14	Mix
Personal Workshop / Storage Building	P	P	P	P			P	P	P						8.15	R, S
Planned Unit Development – Mixed Use	Conditional Rezoning to PUD-CZ is required.														8.16	Mix
MULTIFAMILY RESIDENTIAL																
Group Care Facility									Z			C	P		8.17	I, R
Multifamily Dwellings (3 or more units per lot)	Conditional Rezoning to MF-CZ is required.														8.18	R-2
Nursing Home	C	C	C	C					C			P	P		8.19	B, I

COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
ANIMAL SERVICES																
Animal Shelter									Z					P	8.20	B
Animal Training Facility, Military									Z					P	8.21	B
Kennels, Overnight									Z			Z	Z	P	8.22	B
Pet Day Care, Grooming, Obedience Training									Z		P	P	P		8.23	B
Veterinary Clinic							P		Z		P	P	P		8.24	B
OFFICES & GENERAL SERVICES																
Automatic Teller Machine (ATM)											P	P	P	P	8.25	U
Beauty / Barber Shop / Nail Salon						P					P	P	P		8.26	B
Bed and Breakfast	Z	Z	Z	Z				Z	Z						8.27	
Dry Cleaning and Laundromat						P					P	P	P	P	8.28	B
Equestrian Cottage							Z								8.29	
Hotel and Motel													P		8.30	R-1
Office											P	P	P	P	8.31	B
Small Appliance Repair Shop											P	P	P	P	8.32	B
Trade Contractor Office and Workshop											P	Z	P	P	8.33	B, S
COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
RETAIL SERVICES																
Auction House												P	P	P	8.34	A-3, B
Convenience Store						P			C		P	P	P	P	8.35	M
Feed and Seed Sales							C		C			P	P	P	8.36	B, M
Florist									P		P	P	P	P	8.37	B
Flea Market									Z			Z	P		8.38	B, M
Garden Center											P	P	P		8.39	M, U
Manufactured or Modular Home Sales													P	P	8.40	B
Restaurant						P					P	P	P	P	8.41	A-2
Retail											P	P	P		8.42	M
Shopping Centers													Z	C	8.43	M
Wholesales											C		P	P	8.44	M



COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
VEHICLE SERVICES																
Boat & RV Storage					P						P		Z		8.45	S-1
Car Wash or Auto Detailing											P	P	P	P	8.46	B
Commercial Truck Wash												C	P	P	8.47	B
Parking Lot as principal use of lot											P	P	P	P	8.48	S-2
Taxi Service												Z	P	P	8.49	B, A-3
Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, or Service											P	P	P	P	8.50	B, S-1
Vehicle Service Stations (Gas Stations)											Z	P	P	P	8.51	M
Vehicle Wrecker Service												Z	Z	P	8.52	S-1
ADULT USES																
Adult Gaming Establishments														C	8.53	B
Bars / Tavern											C		P		8.54	A-2
Brewery / Winery									C		P		P	P	8.55	A-2, F
Dance Club, Night Club, Billiard											Z		P		8.56	A-2, A-3
Distillery														P	8.57	F-1
Massage & Bodywork Therapy Practice, Unlicensed													P		8.58	B
Pawn Shop											Z		P	P	8.59	B
Sexually Oriented Business														Z	8.60	A-2, M
Tattoo Parlor, Body Piercing													P		8.61	B

EDUCATIONAL & INSTITUTIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Cemetery or Mausoleum, Commercial			C	C			C		C			P			8.62	n/a
Cemetery, Family	P	P	P	P	P	P	P	P	P						8.63	n/a
Child Care Facility	C	C	C	P		C	C	C	C		C	P	P		8.64	E, I
Child Care Home Facility	C	P	P	P			C	C	P						8.65	E, R
Colleges, Business & Trade Schools									C				P	P	8.66	B
Funeral Home, accessory crematorium											P	P	P	P	8.67	A-3, B
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.68	B
Hospital	P	P	P	P	C	C	P	P	P	P		P	P	P	8.69	I
Museums and Art Galleries									C		P	P	P		8.70	A-3
Religious Institutions	P	P	P	P	P		P	P	P	P	P	P	P		8.71	A-3, E
Security Training Facility									C						8.72	B
Schools, Elementary, Middle, High												P	P		8.73	E

RECREATIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory, Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.74	A, R
Airport, Public or Private									C					Z	8.75	A-3, B
Airstrip, Small Private									C			P			8.76	B
Assembly Hall						Z			Z		Z		Z	P	8.77	A-4, A-5
Camp or Care Centers									P						8.78	A-3, R-1
Campground, Public and Private									P						8.79	A-3, R-1
Camp, Recreation Day									P						8.80	A-3
Civic / Social Club, Lodge, & Organization			P	P	C	C			C		P	P	P		8.81	A-2, A-3
Golf Driving Range					C	C				P			P		8.82	A-3
Golf Course, including Par 3					C	C				P			P		8.83	U
Marina (fuel supplies)					P	P									8.84	M
Neighborhood Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.85	U
Recreation, Indoor											C	C	P		8.86	A-5
Recreation, Low Impact Outdoor		P P	P	P	P	P	P	P	P		C	P	P		8.87	A-5
Recreation, High Impact Outdoor									Z		Z		P		8.88	
Shooting Range, Indoor									Z				P		8.89	A-5
Shooting Range, Outdoor									Z				P		8.90	A-5
Zoo, Petting Zoo									Z				P		8.91	A-5, U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
PRODUCTION																
Manufacturing, Light (no odors, no smoke)														P	8.92	F
Manufacturing, General														Z	8.93	F-1, F-2
UTILITIES / SERVICES																
Amateur Radio and Receive-only Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.94	U
Contractors Storage Yard and Office									Z				P	P	8.95	S-1, U
Crematorium Facility													Z	P	8.96	B
Public & Private Utility Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.97	U
Solar Collector Facility														C	8.98	U
Solar Collectors, On-Site Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.99	U
Wireless Communication Facility									Z				Z	Z	8.100	U
Collocation on Existing WCF	P	P	P	P			P	P	P	P	P	P	P	P	8.101	U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
WAREHOUSING																
Mini-Warehouse (Self-Service)						P					Z	Z	P	P	8.102	S
Warehousing and/or Distribution Center									Z				C	P	8.103	S-1, S-2
WASTE RELATED SERVICES																
Debris Management Facility									Z			Z		P	8.104	U
Hazardous Waste /Toxic Chemicals Disposal or Processing														C	8.105	U
Landfill														C	8.106	U
Mining / Quarry Operation									Z					C	8.107	U
Salvage Yard														C	8.108	U

TEMPORARY USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.109	S-1
Drop-In Child Care Facility											P	P	P		8.110	
Itinerant Merchant											P	P	P	P	8.111	n/a
Land Clearing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.112	F-1
Manufactured Home or RV, Temporary	P	P	P	P			P	P	P						8.113	R-3
Real Estates Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.114	S-1
Temporary Events (Special Event)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.115	n/a
Yard Sales, Residential and Civic	P	P	P	P	P	P	P	P	P			P	P		8.116	n/a

OTHER USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Major Subdivision – Residential (1)	C	C						C							18.6-18.11	Mix
Major Subdivision – Non-Residential (Business Park)													C	C	18.6-18.11	Mix



01659 00023

NORTH CAROLINA

2000 SEP 13 P 2:35

WARRANTY DEED

MOORE COUNTY

MRS. JUDITH M. ADAMS  
REGISTER OF DEEDS  
MOORE COUNTY, NC

THIS DEED, made and entered into this the 29th day of August, 2000 by and between **Preston D. Williamson and his wife, Mary L. Williamson**, (hereafter "GRANTOR"), - TO - **Audio & Electronic Concepts, Inc.**, (hereafter "GRANTEE");

W I T N E S S E T H :

That the Grantor, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, has given, granted, bargained, sold and conveyed and by these presents does give, grant, bargain, sell and convey to the Grantee, his heirs, successors and assigns, all of that certain tract or parcel of land situate in Mineral Springs Township, Moore County, North Carolina, more particularly described as follows:

A certain tract or parcel of land in the Murdocksville Community, Mineral Springs Township, Moore County, North Carolina described as follows: Fronting on the east side of the Murdocksville Road, S. R. #1209 and fronting on the south side of Juniper Lake Road, S. R. #1216, beginning at an iron stake in the intersection of the east line of the Murdocksville Road with the south line of Juniper Lake Road, said stake located 30 feet from the center of each road and running as the south line of Road #1216 N 69° 36' 09" E 114.75 feet to an iron stake; thence continuing with the road N 71° 05' 57" E 146.24 feet to an iron stake; thence continuing with the road, a chord of N 79° 50' 31" E 327.95 feet to the intersection of the Juniper Lake Road with an old roadway; thence with and near the old roadway S 03° 28' 57" E through a carport 450.18 feet to a corner with the Jeff Williams 3.22 acre tract in the roadway; thence with the Jeff Williams line S 55° 03' 44" W 525.25 feet to a corner Jeff Williams east line; thence with Jeff' line N 18° 26' 47" W 237.20 feet to an iron stake in Dale Williams south line of his one acre tract as recorded in Book 430, at Page 558; thence S 72° 39' 29" W 162.88 feet to an iron stake in the east right of way line of the Murdocksville Road S. R. #1209; thence with the east line of said road N 17° 28' 21" W 164.66 feet and N 17° 29' 39" N 164.50 feet to the BEGINNING, containing 5.54 acres, more or less and being all of Grantors property as appears of record in Deed Book 430, at Page 555, Deed Book 430, at Page 557 and Deed Book 1459, at Page 17.

This conveyance is subject to: (i) the lien for ad valorem taxes or other assessments for the year of closing or conveyance; and (ii) utility easements of record.

TO HAVE AND TO HOLD the aforesaid described land with all privileges and appurtenances thereunto belonging or in anywise appertaining to the said Grantee, his heirs, successors and assigns, in fee simple forever.

And the said Grantor, for himself and his heirs, successors and assigns, covenants with the said Grantee, his heirs, successors and assigns, that he is seized of the said premises in fee and has the right to convey the same in fee simple; that the same is free and clear from all encumbrances; and that he does hereby forever



Real Estate  
Excise Tax

MOORE COUNTY NC

09/13/2000

\$42.00

013452

Tax: P.O. Box 3275  
Pinehurst, NC 28374

TAX ADDRESS

RECORDING

STAMP

TOTAL

Prepared by: Hurley E. Thompson, Jr.  
Carthage, NC 28327

warrant and will forever defend the said title to the same against the claims of all persons whomsoever, except for the exceptions noted herein.

The designation "Grantor" and "Grantee" as used herein shall include the singular as well as the plural and the masculine, feminine or neuter gender may be read in either the masculine, feminine or neuter gender or a combination thereof as the context may require in order to accurately refer to the person or persons first named hereinabove as "Grantor" and "Grantee".

IN WITNESS WHEREOF the said Grantor, has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers and its seal or a reasonable facsimile thereof to be hereunto affixed by authority of its duly elected Board of Directors, the day and year first above written.

Preston D. Williamson (SEAL)  
Preston D. Williamson


Mary L. Williamson (SEAL)  
Mary L. Williamson

STATE OF FLORIDA

COUNTY OF COLLIER

I, Erica Hook, a Notary Public of the County and State aforesaid, certify that Preston D. Williamson and his wife, Mary L. Williamson personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal, this 30 day of August, 2000.

 Erica Lynn Hook  
My Commission CC887022  
Expires November 11, 2003

[Signature] (SEAL)  
NOTARY PUBLIC

My commission expires: 11/11/03.  
North Carolina -- Moore County

The foregoing Certificates of Erica Lynn Hook, Notary Public

are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the filing stamp impressed or affixed hereon.

Judith M. Adams  
REGISTER OF DEEDS OF MOORE COUNTY

BY: [Signature]  
Deputy/ ~~Assistant~~ - Register of Deeds

## MEMORANDUM TO THE PLANNING BOARD

**FROM:** Debra Ensminger  
Planning & Transportation Director

**DATE:** April 20, 2020

**SUBJECT:** Unified Development Ordinance Text Amendments –  
Highway Corridor Overlay District

**PRESENTER:** Theresa Thompson

### **REQUEST**

Moore County Planning Staff is requesting the following text amendments to the Moore County Unified Development Ordinance to amend the design standards for the Moore County Highway Corridor Overlay District.

**Bold Text** – additions to the ordinance

~~Strikethrough Text~~ - deletions from the ordinance

1. AMEND Chapter 3 (Intent of Zoning Districts), Section 3.16 (Highway Corridor Overlay District), as follows:

### **3.16 Highway Corridor Overlay District**

In order to promote the general health, safety, and welfare of the community, to protect the rural character and natural environment of the area, and to provide attractive highway corridors and gateways to our communities, the Highway Corridor Overlay District is created. ~~The Highway Corridor Overlay District (HCOD) is intended to maintain or enhance the natural scenic beauty of designated corridors viewed by travelers.~~ **The Highway Corridor Overlay District is established as a district which overlays the zoning in every district along either side of US 1 Highway (from Southern Pines ETJ north to Cameron's ETJ and south from Pinebluff's ETJ to the Richmond County line), US 15/501 Highway between Pinehurst and Carthage, from Aberdeen to the Hoke County line, and from Carthage to the Lee County line, NC 22 Highway from US 15-501 intersection at Carthage to Southern Pines, and NC 211 Highway from Pinehurst to Montgomery County line (including the Seven Lakes Village Business District). The HCOD does not include any municipal zoning jurisdictions. Two** ~~Three~~ HCOD districts have been established. Wherever standards of the underlying zoning district differ from the watershed overlay standards, the more restrictive provisions shall apply.

- A. Rural Highway. The Rural HCOD overlays the zoning along portions of the following roadways as depicted on the official zoning map, not including any municipal zoning jurisdiction: US 1 Highway, US Highway 15/501, NC 22 Highway, and NC Highway 211. ~~Commercial, Industrial and Office Professional elements along these corridors shall be intermittent and clustering of these elements is encouraged at appropriate centralized locations.~~ **This district's goal is to provide compatible transitions between differing land uses, enhance the natural environment, and retain the existing rural character of Moore County.**
- B. Urban Transition. The Urban HCOD overlays the zoning along portions of the following roadways as depicted on the official zoning map, not including any municipal zoning jurisdiction: US 1 Highway, US Highway 15/501, and NC 211 Highway. ~~There shall be a balance of residential, recreational, commercial, industrial and office professional uses. These highway sections are best suited for providing a balance of naturalized and manmade conditions.~~ **This district's goal is to improve property, support the natural conditions, and keep in visual character and appearance of the nearby Towns. The Sandhills and Longleaf Pine are unique within North Carolina and these elements are of economic value to the Towns and make it a desirable place for both residents and visitors.**
- C. Urban/Village. ~~The Urban/Village HCOD overlays the zoning along a portion of the following roadway as depicted on the official zoning map: N.C. 211 Highway. This district allows for denser land use patterns for commercial and residential development; however, the visual aspects of the development along these corridors shall be defined by an emphasis on landscape elements.~~

- 2. AMEND Chapter 7 (General Development Standards), Section 7.8 (Highway Corridor Overlay District), as follows:

## 7.8 Highway Corridor Overlay District

- A. Applicability: New Development. All new building construction and major subdivisions within the Highway Corridor Overlay District **(400 feet from the ROW lines)** shall comply with the regulations of this section. If there are more restrictive standards elsewhere in the UDO those standards shall be followed.
- B. Existing Development. ~~Expansions of 500 square feet or more and any change of use as defined by the NC Building Code shall comply with the regulations of this chapter. In these cases, the Administrator shall determine the level of compliance technically feasible, excluding the removal of asphalt. If the total renovations, maintenance, and/or repairs to an existing building within a 5 year period enlarge the footprint 50% or more or collectively cost more than 50% of the tax value as recorded in the county tax record at the date of application, the entire lot shall comply with the requirements of this Section. Such developments shall be required to meet the minimum~~



requirements set forth to the fullest extent technically feasible, excluding the removal of asphalt.

- C. Exemptions. Single family (not including manufactured homes), duplexes (not including multi-family) and their accessory buildings and uses, ~~any building expansions less than 500 square feet, and utility structures.~~ Developed lots in the Village Business Zoning District are exempt from building and parking setbacks and landscaping standards.

D. Extension. Refer to Section 7.11(F).

- E. Maintenance and Changes. ~~Maintenance and changes to exterior existing building elements and facades for development less than 50% of tax value will apply only to the specific change.~~ Maintenance, changes to exterior existing buildings elements and facades of 50% or more of the building shall comply with the standards adopted in this Chapter. The passage of time shall not remove this requirement for review and approval if changes in design, including color, are proposed for any building, built prior to or after the adoption of this Chapter, within the County which is subject to these provisions.

F. Minimum Lot, Buildings, and Screening Standards.

	Urban Village	Urban Transition	Rural Highway
District Boundaries from ROW lines	300 feet	400 feet	500 feet
Front Building Setback from highway	50 feet	75 feet	75 feet
Front Parking Setback from highway	30 feet	50 feet	50 feet
Building Setback from Residential Districts	25 feet	50 feet	50 feet
Building Setback from Non-Residential Districts	5 feet	25 feet	25 feet
Maximum Built Upon Surface	70%	70%	70%
Maximum Building Height	35 feet	35 feet	35 feet
Required Buffer Plantings from ROW line	Type 3 Screening (Section 7.11)		

- G. Screening Standards. The Screening standards of this Section shall apply to any expansion of a parking lot by 10 or more parking spaces. If there is a change of use in a principal building the lot shall comply with screening standards. Sites that have ceased operation for more than 180 days shall comply with the current screening standards.

H. Prohibited Uses.

1. Urban Transition. Accessory Manufactured Home, Manufactured Home, Personal Workshop / Storage Building, Manufactured or Modular Home Sales, all uses listed under "Adult Uses" and "Waste Related Services" in the Table of Uses, Cemetery or Mausoleum/Commercial, Family Cemetery, High Impact

Outdoor Recreation, Indoor Shooting Range, Outdoor Shooting Range, Zoo/Petting Zoo, Contractors Storage Yard and Office, Wireless Communication Facility, Mini-Warehouse (Self-Service), Warehousing and/or Distribution Center, and Debris Management Facility.

2. Rural Highway. Accessory Manufactured Home, Manufactured Home, Sexually Oriented Business, Indoor Shooting Range, Outdoor Shooting Range, and all uses listed under “Waste Related Services” in the Table of Uses.

**I. Conditional Zoning Uses.**

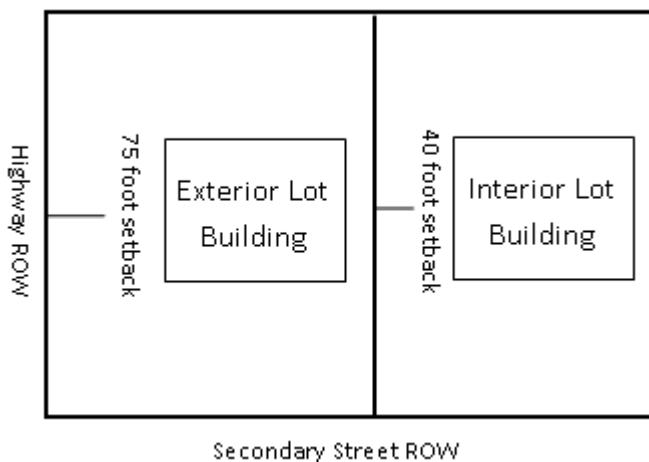
1. Urban Transition. Group Care Facility, All uses listed under “Vehicle Services” in the Table of Uses, Commercial buildings in excess of 10,000 square feet.
2. Rural Highway. Group Care Facility, All uses listed under “Vehicle Services” and “Adult Uses” in the Table of Uses, Low Impact and High Impact Outdoor Recreation, Mini-warehouse (Self-Service), Manufactured or modular home sales, Commercial buildings in excess of 50,000 square feet.

- J. Storm Water Management.** A Stormwater Management Plan shall be required as part of the application submittal. The Stormwater Management Plan and all stormwater control measures shall be designed by a state registered professional, shall meet the most current edition of the North Carolina Department of Environmental Quality’s (NCDEQ) Stormwater Design Manual, and shall be supported by the appropriate calculations, plan sheets, grading plans, planting plans and details and specifications. The post development peak flow discharged rates shall not exceed the pre-development peak discharge rates for all storms up to and including the 25 year, 24 hour event. Prior to a Certificate of Occupancy, the applicant shall confirm the completed project is in accordance with the approved stormwater management plan, certified by a state registered professional, and shall submit “as-built” plans for all stormwater management measures after final construction is complete.

**K. Building Standards**

**1. Setbacks**

- a. The front building setback from the highway ROW is 75 feet. The building setback for internal lots with access to an internal street ROW shall be 40 feet.

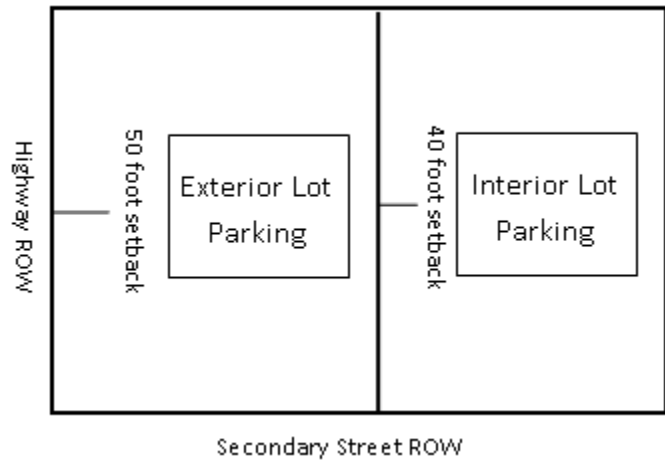


- b. The building setback from residential districts is 50 feet.
  - c. The building setback from non-residential districts is 25 feet.
2. **Building Design** - Design standards required in the Urban Transition COD only.
- a. **Entrances.** Principal building entrances shall be oriented to public streets or towards the corners of streets.
  - b. **Utilities.** Utility services shall be located underground. Wooden poles are prohibited.
  - c. **Wall Materials.** Exterior walls shall be at least 60% glass, brick, stone, ~~stucco, colored split faced block, cementitious siding,~~ wood clapboard siding, ~~vinyl materials.~~ Pitched roofs shall be clad in wood shingles, standing seam metal, slate or asphalt shingles. Manufactured, mobile, portable storage units, and metal units are prohibited, except for temporary construction, sales trailers, or storage uses during construction. Brick veneers, corrugated metal, plywood, particleboard, untreated wood, and similar material are prohibited.
  - d. **Maintenance.** All exterior surfaces, which have or have not been painted, shall be maintained free of peeling or flaking paint or stucco. Rotten or weakened portions shall be removed and/or replaced to match as closely as possible the original patterns.
  - e. **Facade Colors.** Façade colors shall be of low reflectance earth tone, muted, or subtle or neutral colors. Building trim may feature brighter colors, but neon tubing is not allowed as an accent material. The use of high-intensity, bright, metallic, fluorescent or neon colors are prohibited.
  - f. **Windows.** Except for civic and industrial buildings, a window or functional general access doorway shall be located along the length of the façade at least every 20 feet of the first floor on ROW fronting facades. Windows shall be visually permeable.
  - g. **Accessory Buildings and Shopping Centers.** All accessory buildings and structures shall be of similar design, materials, and color as the principle structure. All accessory structures are not permitted in the front yard.
3. **Height**
- a. The maximum building or structure height shall not exceed 35 feet.
  - b. All mechanical, electrical, communications, and service equipment, including satellite dishes shall be set back from the edge of the roof a minimum distance of 1 foot for every foot the feature extends above the roof surface. Screen or parapet walls shall be constructed to the height of any fixture taller than 3 feet in height that would be visible from a street or residential abutting property.
  - c. Flagpoles and similar devices shall be limited to 35 feet in height.
- L. **Fences.** Fences may be used for side and rear yards only. In addition to Type 1 standards the following shall apply: Chain link is prohibited. Vinyl and Wood Board / Shadow Box / Solid, is permitted provided that the board width (vertical members) is not less than 4 inches nominal and not more than 10 inches nominal. Wood fences

greater than 4 feet in height are required to have a minimum of 3 horizontal rails (does not apply to vinyl fences).

#### M. Parking

1. Setback. Front parking setback from highway ROW line is 50 feet. The parking setback for internal lots with access to an internal street ROW shall be 40 feet.
2. Location. A development with 75 or fewer parking spaces shall have a maximum of 2 rows of parking spaces between any street and the front elevation of a building. All other parking must be located on the side or rear of the building. Developments with more than 75 parking spaces must have parking on at least 3 sides of the building with not more than 30% of the parking spaces located in the front of the building.
3. Paving. Paving is required in the Urban Transition COD only. Suitable paving materials for required parking and driveway areas include, but are not limited to: asphalt, porous asphalt, porous paving blocks, and concrete. The use of grass is permitted for satellite parking areas.
4. Striping. Striping is required in the Urban Transition COD only. The individual parking spaces in a lot shall be delineated in all parking lots except those utilizing road bond, gravel, or grass surfacing.
5. Curbing. Curbing is required in the Urban Transition COD only. Each parking space shall be provided with curbing or a tire stop.
6. Maintenance. Parking areas shall be maintained to provide for vehicle access and shall be kept free of litter, debris, outdoor display and sales and material storage, including portable containers.
7. Service Areas. Parking for service vehicles and loading areas shall be designated, located and screened with Type 1 or Type 2 Screening to minimize the view from adjacent properties and right-of-ways, at the rear of the buildings.
8. Compact Spaces. Up to 20% of the total number of spaces required may be provided by compact or alternative transportation spaces, no less than 8 feet in width. Parking may also accommodate electric vehicle charging stations.
9. Storage. The parking area may be used only for parking and not for any type of loading, sales, dead storage, or repair work.
10. Stacking. Where drive-thru or drive-up facilities are provided, space shall be provided to accommodate not less than three cars per stacking lane.



#### N. Access



1. Access standards are required in the Urban Transition COD only. Within a development, safe and easy-to-use circulation is an important design principle. All adjoining parcels serving (or potentially serving) non-residential or multifamily uses shall be interconnected as follows:

- a. Interconnectivity. All parking lots shall dedicate access easements and provide interconnectivity to adjoining properties. The connection is at least 20 feet wide. If applicable, the connection aligns with a connection that has been previously constructed on an adjacent property.



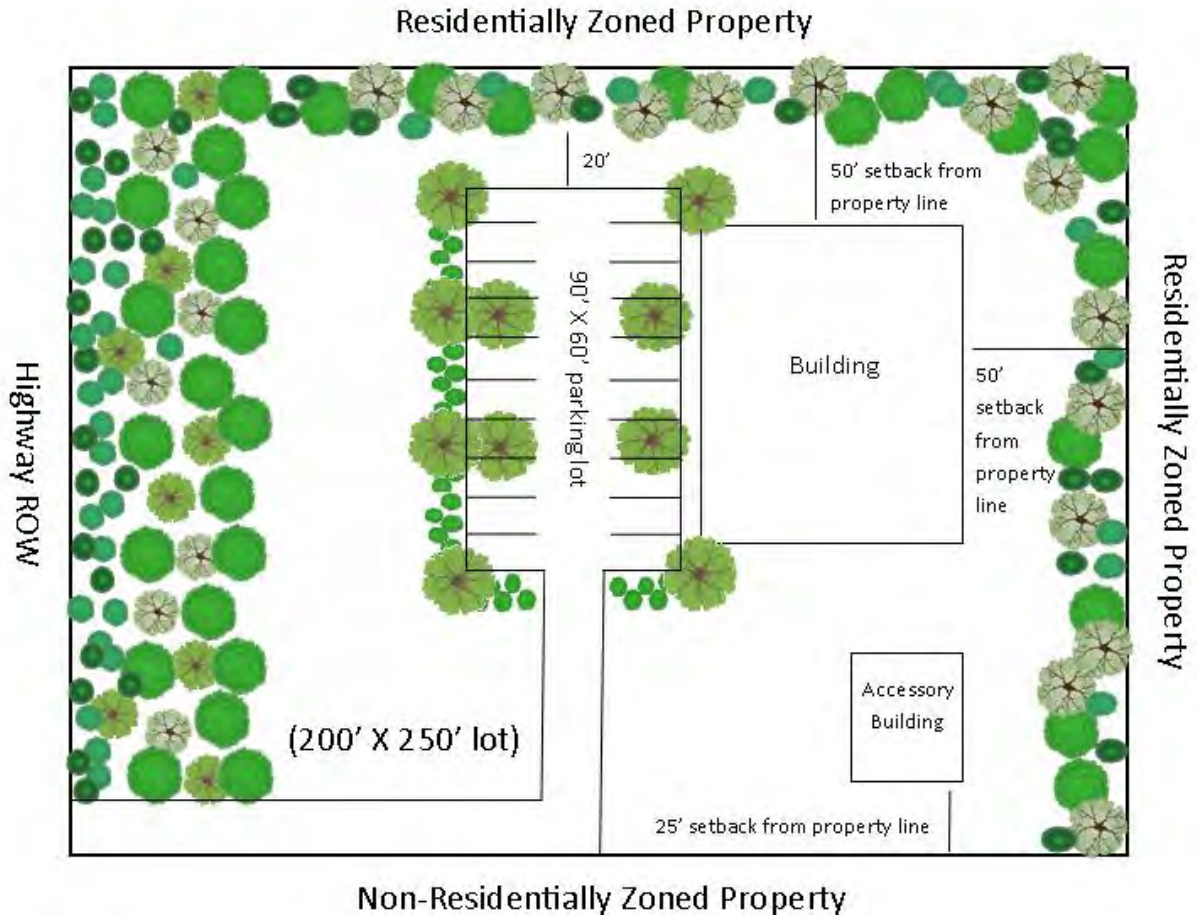
- b. Street Frontage. Any lot that is to be created or any existing lot on which a structure is to be erected or a use to be established shall be accessible to a public or private street right-of-way. Access through easements is not permitted.
- c. Driveways. The maximum driveway width is 36 feet. The maximum number of driveways per lot is 2. Where two (2) or more driveways are located on the same lot, the minimum distance between such drives shall be thirty (30) feet. The minimum distance from an intersection or adjoining driveway is 100 feet, except in the case where no other lot access to a street is available. Common driveways on adjoining lots are recommended.

- O. Screening along Highway. The required buffer planting from the ROW lines shall be a 50 foot wide buffer 10 long leaf pines, 8 trees (at least half evergreen), and 25 shrubs per 100 linear feet of buffer area. New or supplemental trees shall be planted with the intent to grow to 10 feet within 5 years. New or supplemental shrubs shall be planted with the intent to grow to 5 feet within 5 years. Vegetation shall be distributed along the entire length and width of the planted buffer. A mixture of plant types are recommended to mitigate the spread of disease.

P. Vehicular Use Screening

- a. Perimeter Parking Screening. Perimeter parking screening is required in the Urban Transition COD only. New or supplemental trees shall be planted with the intent to grow to 10 feet within 5 years. Shrubs shall with the intent to grow to 3 feet within 3 years. All off-street parking, loading areas, and service areas shall be screened from view by use of one or more of the following:

- a. A building,
- b. Stone or brick wall (side and rear yards only),
- c. 1 tree, excluding longleaf pine, per 30 feet and 1 shrub per 3 feet (rounding up),
- d. Perimeter screening (Type 1, 2, or 3) alongside property lines located not more than 20 feet from parking edge. Refer to fencing standards within this Section for Type 1.



2. **Screening Within Vehicle Use Area.** Screening standards are required in the Urban Transition COD only. In addition to exterior screening requirements, trees shall be installed in planting areas within parking lots to provide shade coverage and break up large areas of impermeable surface allowing areas for water infiltration New or supplemental trees shall be planted with the intent to grow to 10 feet within 5 years. Planting areas shall meet the following:
  - a. **Trees.** 2 trees, excluding longleaf pine, per 10 spaces of vehicular use area (rounding up). Landscaped areas surrounded by impervious surfaces shall

have a minimum width of 9 feet and include a minimum of 150 square feet of open planting area for trees. Trees shall be even distributed throughout the vehicular use area.

- b. Shrubs. 4 evergreen shrubs per 10 spaces of vehicular use area (rounding up).
- c. Groundcover. Each planting shall be landscaped with mulch, groundcover, shrubs, or grass to protect against soil erosion.
- d. Barriers. Barriers, such as wheel stops or 6 inch standard curbs, must be provided between vehicular use areas and landscaped areas.

Q. Dumpster, Mechanical and Electrical Equipment, Outdoor Storage Screening. All storage facilities shall be located to the rear of the primary building and shielded from any public roadway or adjacent property by means of Type 1 (chained link is prohibited) or Type 2 screening, unless already screened by a buffer yard. Dumpster screening shall be at least 5 feet in height.

R. Signs. ~~Max pole sign is not above the roofline (30 foot maximum).~~ The maximum height is 6 feet. Sign colors shall be uniform between the ground sign and wall sign. Colors shall be muted. Off-premise signs are prohibited.

S. Lighting

- a. Sign illumination. Electronic changeable message signs are prohibited.
- b. Parking Lot Lighting. The maximum mounting height of illumination is 30 feet from the ground to the light source. Light poles and fixtures shall be a matte or low-gloss grey, black, dark earthen, or bronze finish to minimize glare from the light source.
- c. Exterior Lighting. The maximum average maintained illumination is 3.0 lumens per square feet at the property line. The light source must be white light. The use of laser source light or any similar high intensity light for outdoor entertainment or advertisement is prohibited. Awnings and canopies shall not be illuminated internally.

**CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN**

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board's review and consideration.

**RECOMMENDATION**

Staff recommends the Moore County Planning Board make two separate motions:

**Motion #1:** Make a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement (Approval) and authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

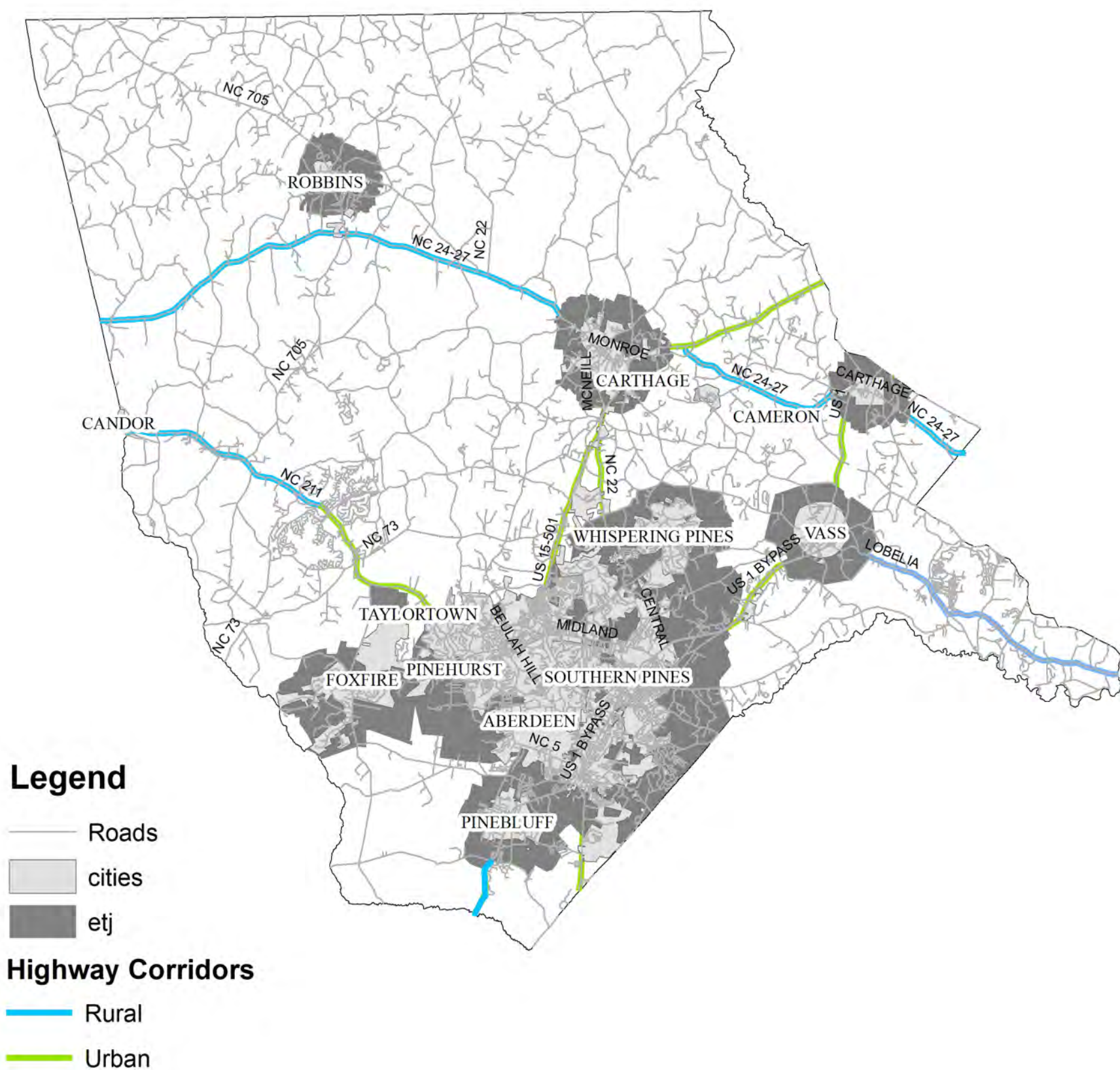
**Motion #2:** Make a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendments to the Moore County Unified Development Ordinance.

**ATTACHMENTS**

- Proposed Highway Corridor Overlay District Map
- RLUAC (Regional Land Use Advisory Commission) Review Letter
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial



# Moore County Highway Corridors



5 Miles





**MOORE COUNTY**  
**Proposed Text Amendments to the Unified Development Ordinance**  
**– Highway Corridor Overlay District**

**March 23, 2020**

The Regional Land Use Advisory Commission (RLUAC) staff and Board of Directors have reviewed all the proposed text amendments for the Highway Corridor Overlay District contained in the Moore County Unified Development Ordinance and find no conflicts with the recommendations contained in the recently completed and adopted 2018 Fort Bragg Joint Land Use Study.

Thank you for allowing RLUAC the opportunity to review these proposed changes.

John K. McNeill, Chairman

Pete Campbell, Executive Director

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**Text Amendment - Unified Development Ordinance**

The Moore County Planning Board finds that:

1. The text amendment request is consistent with the following goals in the 2013 Moore County Land Use Plan:

GOAL 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economical, and natural resources are considered appropriately.

GOAL 4: Provide Information and Seek Citizen Participation:

- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

2. The text amendment is consistent with the Goals listed above due to providing the public with a transparent permitting process.

3. The text amendment is reasonable and in the public interest because the ordinance has been updated to meet current statutory requirements and be more user-friendly for use by the general public and development community.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendments to the Unified Development Ordinance, as proposed.

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Joe Garrison, Chair  
Moore County Planning Board

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Date

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**Text Amendment - Unified Development Ordinance**

The Moore County Planning Board finds that:

1. The text amendment request is not consistent with the 2013 Moore County Land Use Plan.
2. The proposed text amendment is not reasonable and not in the public interest because the proposed amendment will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the text amendments to the Unified Development Ordinance, as proposed.

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Joe Garrison, Chair  
Moore County Planning Board

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Date